BENGAL SECRETARIAT LIBRARY

A

COLLECTION

OF THE

PUBLIC GENERAL STATUTES,

PASSED IN THE

Eighteenth and Nineteenth Years

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the THIRD SESSION of the SIXTEENTH PARLIAMENT
of the United Kingdom of GREAT BRITAIN and IRELAND.

LONDON:
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1855.

GOVERNMENT OF BENGAL

"Chapter Forty-two:" And whereas fuller Powers than those given by the last-recited Enactment are requisite for enabling the Lord Chancellor to let, sell, or dispose of the Masters Offices therein mentioned, and it is desirable that the like Powers should extend not only over the said Masters Offices, but also over the whole of the Ground acquired under the said Act of His late Majesty King *George* the Third, and of the Building already erected on Part thereof, and such other Buildings as may be hereafter erected thereon: Be it therefore enacted as follows:

Repeal of Sect. 51. of 15 & 16 Vict. c. 80.

XVII. The last-recited Enactment is hereby repealed.

The Ground and Buildings vested in the Lord Chancellor in trust

XVIII. The said Piece of Ground situate in *Southampton Buildings* aforesaid, and the Building now being thereon, with their and every of their Rights, Members, and Appurtenances, are hereby conveyed to and vested in the Right Honourable *Robert Monsey* Baron *Cranworth*, the now Lord High Chancellor of *Great Britain*, to hold the same Premises to him and his Successors in that Office for ever, in as full and ample a Manner as the same are now vested in Her Majesty the Queen by force of the said Act of His late Majesty King *George* the Third, in trust, nevertheless, for the Purposes of the same Act, or such of the same Purposes as are now capable of taking effect, and are not inconsistent with the Purposes of this Act, and, subject thereto, for the Uses of the Court of Chancery and the Purposes of this Act.

Power of leasing.

XIX. It shall be lawful for the Lord Chancellor from Time to Time to demise or let all or any Part of the said Piece of Ground, and with or without the same all or any Part of the Buildings for the Time being erected thereon, for such Consideration, to such Person or Persons, for such Period, subject to such Rent, Covenants, and Conditions, and in such Manner and Form as the Lord Chancellor shall from Time to Time think fit.

Power of Sale.

XX. It shall be lawful for the Lord Chancellor from Time to Time to sell and absolutely dispose of all or any Part of the said Piece of Ground, and with or without the same all or any Part of the Buildings for the Time being erected thereon, upon such Terms and in such Manner as he shall think fit.

Power to vest the Ground, &c. in a Purchaser.

XXI. For effectuating any such Sale as aforesaid, it shall be lawful for the Lord Chancellor by any Order to direct that the said Piece of Ground and the Buildings for the Time being erected thereon, or such Part thereof respectively as shall be comprised in the Sale, and the Fee Simple and Inheritance thereof, shall vest in the Purchaser or Purchasers thereof, his or their Heirs and Assigns, or

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Application of the Rents, Purchase Monies, &c.

XXII. The Rents, Purchase Monies, and other Monies which shall be payable upon or in respect of any such Demise, Letting, or Sale as aforesaid shall be respectively paid by such Person, and in such Manner as the Lord Chancellor shall from Time to Time direct, into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, to such Account or Accounts already opened or to be opened as the Lord Chancellor shall from Time to Time direct; and thereupon such Rents, Purchase Monies, and other Monies respectively shall become and be dealt with as Part of the respective Funds (if any) theretofore standing to such Account or Accounts as aforesaid, or be otherwise subject to the Order of the Lord Chancellor for the Benefit of the Suitors of the said Court, according to the said Provision contained in the said Act of His late Majesty King *George* the Third respecting the Money thereby directed or authorized to be placed out as aforesaid.

"The Lord Chancellor."

XXIII. In this Act the Expression "the Lord Chancellor" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being, and to include or be applicable to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

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A

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xxxvii. An Act to incorporate the *Stourbridge* Gas Company, and to enable them to light with Gas the Town of *Stourbridge* in *Worcestershire* and other Places. 473

xxxviii. An Act to enable the *East Indian* Railway Company to issue and register Shares and Securities in *India;* and for other Purposes in relation to such Company. 485

xxxix. An Act for authorizing the Sale of the *Uxbridge* Burgage Lands, and directing the Application of the Proceeds thereof, and for other Purposes. 493

xl. An Act to enable the *Madras* Railway Company to issue and register Shares and Securities in *India,* and for other Purposes in relation to such Company. 501

xli. An Act to enable the Corporation of *Newport* in *Monmouthshire* to purchase the Interest of the Freemen in *Newport Marshes,* and for other Purposes. 509

xlii. An Act to amend "The *Lancaster* Waterworks and Gas Act, 1852," and to raise an additional Sum of Money for the Purposes of the said Act; and for other Purposes. 517

xliii. An Act to amend the Provisions and extend the Limits of the Act relating to the *Over Darwen* Gaslight Company. 525

xliv. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to make a new Street from *Manchester* across the River *Irwell* into *Salford;* and authorizing Arrangements with the Corporation of *Salford* in reference thereto; and for other Purposes. 533

xlv. An Act to extend the Limits of the Borough of *Kingston-upon-Thames,* and to provide for the better paving, lighting, draining, and otherwise improving the said Borough; and for other Purposes. 545

xlvi. An Act for extending the Powers of The *Plymouth Great Western* Dock Company, and for other Purposes. 569

xlvii. An Act to authorize the Mayor, Aldermen, and Burgesses of the Borough of *Oldham* to construct additional Waterworks; and for other Purposes. 573

xlviii. An Act to confer further Powers on the *Birmingham* Gaslight and Coke Company. 593

xlix. An

xlix. An Act for repealing an Act called "The *Hartlepool* Gas and Waterworks Act, 1849," and granting other Powers in lieu thereof; and for enabling the *Hartlepool* Gas and Water Company to raise further Money, and for other Purposes; the Short Title of which is "The *Hartlepool* Gas and Waterworks Act, 1855." 609

l. An Act to consolidate and amend the Acts relating to the *Llynvi Valley* Railway Company; to enable them to construct a new Railway from *Llangonoyd* to *Bridgend*, and to extend their present Line from *Foce* Toll House to *Saint Bride's Minor*, to abandon Parts of their existing and authorized Lines, to dissolve the *Bridgend* Railway Company, and to abandon their Railway; and for other Purposes. 629

li. An Act for further and more effectually repairing and maintaining the Bridge over the River *Tweed* at or near the Town of *Kelso* in the County of *Roxburgh*. 681

lii. An Act to amend "The *St. George's* Harbour Act, 1853." 685

liii. An Act to enable the *Ulster* Railway Company to make a Railway from *Armagh* to *Monaghan*, and to enlarge their Station at *Belfast*; and for other Purposes. 689

liv. An Act for enabling the Mayor, Aldermen, and Burgesses of *Londonderry* to raise a further Sum of Money; and for other Purposes. 701

lv. An Act to incorporate "The *Kilmarnock* Gaslight Company," established to supply with Gas the Town of *Kilmarnock*, and the Parishes of *Kilmarnock* and *Riccarton*, and Places therein, all in the County of *Ayr*. 709

lvi. An Act for consolidating into One Act and amending the Provisions of the several Acts relating to the *Dundee and Perth and Aberdeen* Railway Junction Company; and for enabling the Company to raise Money for the Payment of Debts; and for other Purposes. 721

lvii. An Act for making a Railway from the Great *North of Scotland* Railway to *Turriff* in the County of *Aberdeen*. 749

lviii. An Act to authorize certain Arrangements with respect to the Capital of the *Swansea* Dock Company. 765

lix. An Act for extending the Time for the Completion of the *Cornwall* Railway and Works; and for making further Provisions as to the Share Capital of the *Cornwall* Railway Company; and for other Purposes. 773

lx. An Act to enable the *Swansea Vale* Railway Company to extend their Railway, and to maintain and work the same as a Passenger Railway, and for other Purposes connected therewith. 781

lxi. An Act to repeal the Act relating to the *Leominster and Ledbury* Turnpike Trust, and to make other Provisions in lieu thereof. 809

lxii. An Act to enable the *Salisbury and Yeovil* Railway Company to make a Deviation in the Line of their Railway; and for other Purposes. 817

lxiii. An Act to enlarge some of the Powers of the Acts relating to the *Bristol and Exeter* Railway Company; and to enable such Company to raise further Sums of Money, to acquire additional Lands, to lease the *Somerset Central* Railway, to hold additional Shares in the *Exeter and Crediton* Railway; and for other Purposes. 821

lxiv. An

lxiv. An Act to incorporate the *Hyde* Gas Company, and to grant more effectual Powers for supplying with Gas the several Townships of *Hyde, Werneth, Bredbury, Romiley, Newton*, and *Godley* in the County of *Chester*. 837

lxv. An Act for making a Railway from and out of the *Great North of Scotland* Railway in the Parish of *Inverury* to the Town of *Old Meldrum*, all in the County of *Aberdeen*; and for other Purposes. 849

lxvi. An Act for amending the several Acts relating to the *Liverpool* Corporation Waterworks, and for authorizing Deviations and the Construction of Works; and for other Purposes. 865

lxvii. An Act for amending "The *Commercial Roads* Act, 1828," and "The *Commercial Roads* Continuation Act, 1849," and for other Purposes. 869

lxviii. An Act for repairing the Road from the Town of *Kingston-upon-Hull* to the Western Boundary of the Parish of *Hessle* in the East Riding of the County of *York*. 873

lxix. An Act for making a Railway from the *Oxford* Branch of the *Great Western* Railway to *Abingdon*. 885

lxx. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Ashton-under-Lyne* in the County of *Lancaster* to purchase and maintain Waterworks; and for other Purposes. 897

lxxi. An Act to repeal the Act relating to the *Nottingham and Loughborough* Turnpike Road, and to make other Provisions in lieu thereof. 909

lxxii. An Act for establishing and maintaining an efficient System of Police for the Royal Burgh of *Renfrew*, for improving the said Burgh, and for other Purposes in relation thereto. 917

lxxiii. An Act to enable the *Waterford and Limerick* Railway Company to raise further Money; and for other Purposes. 933

lxxiv. An Act for the Improvement of the Town of *Saint Helen's*, and for other Purposes. 945

lxxv. An Act to alter and extend the Line of the *Cromford and High Peak* Railway, and to amend and consolidate the Provisions of the Acts relating thereto. 989

lxxvi. An Act for making a Railway from the *Waterford and Limerick* Railway at *Killonan* to *Castleconnell*, to be called "The *Limerick and Castleconnell* Railway;" and for other Purposes. 1017

lxxvii. An Act to extend the Limits of the *Newcastle-under-Lyme* Gaslight Company's Act for the Supply of Gas, and to authorize the raising of a further Sum of Money, and for other Purposes. 1037

lxxviii. An Act to increase the borrowing Powers of the *Limerick and Foynes* Railway Company. 1049

lxxix. An Act to consolidate and amend the Acts relating to the *Maryport and Carlisle* Railway; to authorize the Company to improve their existing Railway; to make new Branches, Stations, and other Additions to their Works; to raise further Monies; and for other Purposes. 1053

lxxx. An

lxxx. An Act for better lighting with Gas the Town and Borough of *Newport*, and the Neighbourhood thereof, in the County of *Monmouth*. 1085

lxxxi. An Act for more effectually supplying with Gas the Town of *Weston-super-Mare* in the County of *Somerset*. 1105

lxxxii. An Act to renew the Term and continue the Powers of an Act passed in the Eighth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for repairing the Road from* Alford *to* Boston, *and from thence to* Cowbridge *in the Township of* Frithville, *in the County of* Lincoln. 1113

lxxxiii. An Act to repeal so much of the Act relating to the *Wigan* and *Preston* Roads as relates to the District of the said Roads North of *Yarrow*, and to make other Provisions in lieu thereof. 1129

lxxxiv. An Act to alter and amend "The Lands Improvement Company's Act, 1853." 1141

lxxxv. An Act to renew the Term and continue the Powers of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to continue the Term and alter and enlarge the Powers of an Act of the Fortieth Year of His late Majesty's Reign, for repairing the Road leading from the Turnpike Road in* Witney *to the Road on* Swerford Heath, *and the Road leading from the Road from* Woodstock *to* Birmingham *through* Charlbury *to the Road from* Chipping Norton *to* Burford, *all in the County of* Oxford. 1153

lxxxvi. An Act for making a Railway from *Oswestry* in the County of *Salop* to *Welchpool* and *Newtown* in the County of *Montgomery*. 1161

lxxxvii. An Act for repairing, widening, and maintaining several Roads in the Counties of *Dorset* and *Devon* leading to and from the Borough of *Lyme Regis*, and from the Turnpike Road on *Raymond's Hill* to the Turnpike Road at the *Three Ashes* in the Parish of *Crewkerne* in the County of *Somerset*. 1181

lxxxviii. An Act for making a Railway from the Town of *Dundalk* in the County of *Louth* to the Town of *Black Rock* in the said County. 1193

lxxxix. An Act for the better Supply of the City of *Gloucester* and the Neighbourhood thereof with Water; and for other Purposes. 1209

xc. An Act for enabling the *London and Blackwall* Railway Company to widen certain Portions of their Railways, and for amending some of the Provisions of the Acts relating to such Railways. 1237

xci. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Branch Railway to *Lincoln*, and for other Purposes. 1253

xcii. An Act for continuing the Term of the *Nottingham and Newhaven* Turnpike Road and Districts Act, and for other Purposes. 1261

xciii. An Act for extending the Powers of the *Warrington* Waterworks Company, and for other Purposes. 1281

xciv. An Act to amend the *East Kent* Railway Act, 1853. 1305

xcv. An Act to authorize the Company of Proprietors of the *Regent's* Canal to purchase the *Hertford Union* Canal; and for other Purposes. 1309

xcvi. An Act to enable the *Caledonian* Railway Company to raise a further Sum of Money. 1313

xcvii. An Act to consolidate and amend the Acts relating to the *Glasgow and South-western* Railway, and for other Purposes. 1321

xcviii. An Act to consolidate and amend the Acts relating to the *South Wales* Railway Company, and to authorize the Construction of new Works, and Alterations of existing Works, and for other Purposes. 1377

xcix. An Act to authorize Improvements in the Borough of *Newcastle-upon-Tyne.* 1469

c. An Act for the Improvement of the Town of *Newton in Mackerfield* and Neighbourhood in the County of *Lancaster.* 1481

ci. An Act to enable the *Cork and Youghal* Railway Company to make a Branch Railway to *Queenstown*, and to make certain Deviations in and an Extension of their Line; and for other Purposes. 1505

cii. An Act to alter certain Portions of the *Metropolitan* Railway, and to amend the Provisions of the Act relating thereto. 1521

ciii. An Act to amend and extend the Provisions of the Act relating to the *Gomersal* and *Dewsbury* Turnpike Roads, and to create a further Term therein; and for other Purposes. 1529

civ. An Act to repeal certain Acts relating to the *Basingstoke, Stockbridge, and Lobcomb Corner* Turnpike Roads, and to make other Provisions in lieu thereof. 1545

cv. An Act to enable the *Dundalk and Enniskillen* Railway Company to construct Extension Railways; and for other Purposes. 1557

cvi. An Act to repeal the Acts relating to the Road from *Lightpill* to *Birdlip*, and make other Provisions in lieu thereof. 1573

cvii. An Act to repeal the Act relating to the *Peterborough and Wellingborough* Turnpike Road, and to make other Provisions in lieu thereof. 1585

cviii. An Act to repeal the Act for making and maintaining a Turnpike Road from *Cainscross* through *Stroud* over *Rodborough* and *Minchinhampton* Commons to the Town of *Minchinhampton*, with some Branches therefrom, all in the County of *Gloucester*, and to make other Provisions in lieu thereof. 1601

cix. An Act to repeal an Act for making and maintaining certain Roads from the Town of *Stroud* and several other Places therein mentioned, all in the County of *Gloucester*, and to make other Provisions in lieu thereof. 1613

cx. An

cx. An Act to enable the *Rhymney* Railway Company to extend their Railway to the *Taff Vale* Railway, to construct Branch Railways, and for other Purposes. 1625

cxi. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the First District of the *Bridport* Turnpike Roads in the County of *Dorset*. 1653

cxii. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Bridport* and *Broadwinsor* Turnpike Roads. 1669

cxiii. An Act for incorporating the *Bombay, Baroda, and Central India* Railway Company; and for other Purposes connected therewith. 1681

cxiv. An Act for extending the Time for the Purchase of Lands and for the Completion of a Railway from *Chichester* to *Bognor*. 1693

cxv. An Act for incorporating the *Scinde* Railway Company, and for other Purposes connected therewith. 1697

cxvi. An Act to enable the *North Yorkshire and Cleveland* Railway Company to make a Branch from their Railway to the *Middlesbrough and Guisbrough* Railway, and also a Branch to *Whorlton*, and other Works; and to alter and amend the Act relating to the said Company; and for other Purposes. 1709

cxvii. An Act to change the Name of "The *National* Loan Fund Life Assurance Society" to the Name of "The *International* Life Assurance Society;" and to enable the said Society to sue and be sued in the Name of the Chairman or Secretary or any One Director of the said Society; and to give additional Powers to the said Society. 1729

cxviii. An Act to authorize and empower the Magistrates and Council of the City of *Glasgow* to supply with Water the said City and Suburbs thereof, and Districts and Places adjacent; to purchase and acquire the *Glasgow* Waterworks, and the *Gorbals* Gravitation Waterworks; and to introduce an additional Supply of Water from *Loch Katrine;* and for other Purposes. 1749

cxix. An Act for maintaining and improving the Harbour of *Ayr*, and for the better Regulation and Management thereof. 1789

cxx. An Act for making a Railway through Part of the *Aberdare Valley* in the County of *Glamorgan*, to join the *Vale of Neath* Railway. 1821

cxxi. An Act for enabling the Company of Proprietors of the *Birmingham* Canal Navigations to make and maintain additional Canals and Works, and for other Purposes. 1837

cxxii. An Act for making Railways from the *South Devon* Railway to *Exmouth*, and to the Basin of the *Exeter* Canal, to be called The *Exeter and Exmouth* Railway. 1869

cxxiii. An Act to consolidate the Capital Stock of the *Electric Telegraph* Company and of the *International Telegraph* Company, and to grant further Powers to the *Electric Telegraph* Company. 1889

cxxiv. An Act to enable the *Great Northern* Railway Company further to increase their Capital; and for other Purposes with relation to the same Company. 1893

cxxv. An

cxxv. An Act for incorporating the "*Colonial* Life Assurance Company;" for enabling the said Company to sue and to be sued, to take and hold Property; and for other Purposes relating to the said Company. 1909

cxxvi. An Act for the Improvement, Maintenance, and Regulation of the Port of *Hartlepool*, for the Construction of a Harbour of Refuge there, and for other Purposes. 1929

cxxvii. An Act for making a Railway from *Ladybank* on the Line of the *Edinburgh, Perth, and Dundee* Railway, by *Auchtermuchty* and *Strathmiglo*, to *Milnathort* and *Kinross*. 1965

cxxviii. An Act to authorize the *Sunderland* Dock Company to make further Works; and to amend and consolidate the Acts relating to the said Company; and for other Purposes. 1981

cxxix. An Act for regulating the Share Capital of the *Manchester, Sheffield, and Lincolnshire* Railway Company, and for other Purposes. 2033

cxxx. An Act to enable the *Stockport, Disley, and Whaley Bridge* Railway Company to construct a Junction Line to the *Cromford and High Peak* Railway, and for other Purposes. 2049

cxxxi. An Act to enable the *Carmarthen and Cardigan* Railway Company to make a Deviation in their Line of Railway; and for other Purposes. 2057

cxxxii. An Act for the Improvement of the Town of *Leek* in the County of *Stafford*, for purchasing the Market Tolls, and for providing more commodious Markets and Cemeteries, and for better supplying the Inhabitants with Water; and for other Purposes. 2065

cxxxiii. An Act to enable the *Weymouth* Waterworks Company to increase and extend their Supply of Water, and to construct new Works, and for other Purposes. 2113

cxxxiv. An Act for changing the Corporate Name of the Company of Proprietors of the *Grand Surrey* Canal; for consolidating their Acts; for authorizing them to make a new Entrance from the *Thames*, additional Docks and other Works, and to raise further Moneys; and for other Purposes. 2129

cxxxv. An Act for granting further Powers to the *Torquay, Tor, and Saint Mary Church* Gas Company. 2173

cxxxvi. An Act to repeal the Acts passed for repairing the Road from *Hedon* through *Preston* and *Bilton* to *Hull*, and other Roads in the County of *York*, and to make other Provisions in lieu thereof. 2177

cxxxvii. An Act for incorporating the "Gaslight Company of *Sligo*," and for other Purposes. 2189

cxxxviii. An Act to amend the Provisions of "The *West Bromwich* Improvement Act, 1854," with relation to the Prevention of Smoke. 2197

cxxxix. An Act to vary the Mode of carrying the *Staines, Wokingham, and Woking* Railway across certain Roads, and for other Purposes. 2201

cxl. An

cxl. An Act for incorporating "The *Cape Town* Railway and Dock Company," and for other Purposes connected therewith. 2209

cxli. An Act to amalgamate the *Glasgow and Inchbelly Bridge* and *Possil and Balmore* Turnpike Road Trusts, and to make Branch Roads; and for other Purposes. 2217

cxlii. An Act for making and maintaining a Turnpike Road from *Charlestown of Aboyne*, by *Ballater*, *Crathie*, and *Castletown of Braemar*, to *Cairnwell Hill*, with a Branch at *Crathie*, in the County of *Aberdeen*; and for other Purposes. 2237

cxliii. An Act for constructing and maintaining a Quay and other Works in the Borough of *Gateshead* in the County of *Durham*, and for other Purposes. 2253

cxliv. An Act to enable the *Halifax* Gaslight and Coke Company to transfer their Undertaking and Powers to the *Halifax* Local Board of Health; and for other Purposes. 2289

cxlv. An Act to amend an Act of the First Year of the Reign of King *George* the Fourth, Chapter 100, to enable Her Majesty's Commissioners of Lieutenancy for the City of *London* to purchase certain Lands and Houses for building more convenient and requisite Head Quarters, Storehouses, and other proper Accommodation for the Royal *London* Militia, and to confer certain other Powers. 2297

cxlvi. An Act for making a Railway from the *London and North-western* Railway at *Dunstable* in the County of *Bedford* to the *Great Northern* Railway at or near *Welwyn* in the County of *Hertford*, to be called the "*Luton, Dunstable, and Welwyn Junction* Railway;" and for other Purposes. 2305

cxlvii. An Act to extend the Limits of the Borough of *Folkestone*; to enable the Corporation of the said Borough to construct a Market House; to make certain new Streets and other Improvements; and to pave, light, drain, and otherwise improve the said Borough; and for other Purposes. 2325

cxlviii. An Act for insuring the due Proof of Gun Barrels in *England*, and for other Purposes. 2361

cxlix. An Act for enabling the *Stockton and Darlington* Railway Company to make new Branches and other Works; to acquire additional Lands; and for other Purposes. 2401

cl. An Act for authorizing the making and maintaining of the *West Somerset Mineral* Railway, and the improving and regulating of the Harbour of *Watchet* in the County of *Somerset*; and for other Purposes. 2417

cli. An Act for better supplying with Water the Town and Parish of *Wolverhampton*, the Suburbs thereof, and the Parishes and Places adjacent thereto. 2449

clii. An Act to amend "The *Bradford* Corporation Waterworks Act, 1854." 2465

cliii. An Act for making a Railway from the *Port Carlisle* Railway in the Township of *Drumburgh* to or near to the *Coat* Lighthouse in *Silloth Bay* in the Parish of *Holme Cultram* in the County of *Cumberland*, and also a Dock and Jetty at *Silloth Bay*; and for making Arrangements with the *Port Carlisle* Dock and Railway Company; and for other Purposes. 2469

cliv. An Act for maintaining the *Yorkshire* District of the Road from *Keighley* in the West Riding of the County of *York* to *Kirkby-in-Kendal* in the County of *Westmoreland*. 2497

clv. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to acquire Lands; and for other Purposes. 2509

clvi. An Act to renew the Term and continue the Powers of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from* Wadhurst *to the Turnpike Road on* Lamberhurst Down, *both in the County of* Sussex, *and from the Turnpike Road on* Pullen's Hill *to* West Farleigh Street, *both in the County of* Kent. 2517

clvii. An Act for extending the Times granted to purchase Lands for the Part of the *Waveney Valley* Railway between *Bungay* and *Beccles*. 2529

clviii. An Act to enable the *Edinburgh and Glasgow* Railway Company to enlarge their Station at *Queen Street, Glasgow*; to raise additional Capital; and for other Purposes. 2533

clix. An Act for making and maintaining the *Great Northern London* Cemetery, and for other Purposes. 2541

clx. An Act for better enabling the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech* to raise and secure Monies payable by them to the *Nene Valley* Drainage and Navigation Improvement Commissioners; and for other Purposes. 2553

clxi. An Act to repeal the Act relating to the *Bolton and Nightingale's* Turnpike Road, and to make other Provisions in lieu thereof. 2569

clxii. An Act to authorize the Construction of a Dock on the North Side of the River *Thames*, to be called "The *Dagenham* (*Thames*) Dock." 2581

clxiii. An Act to amend "The *London* Necropolis and National Mausoleum Act, 1852," and for other Purposes. 2597

clxiv. An Act to repeal an Act for making, widening, repairing, and maintaining certain Roads leading to and from the Town of *Honiton* in the County of *Devon*; and to make other Provisions in lieu thereof. 2605

clxv. An Act for making a Railway from the *Leven* Railway at the Town of *Leven* to the Town of *Kilconquhar* in the County of *Fife*, to be called "The *East of Fife* Railway." 2621

clxvi. An Act to incorporate the *Royal Medical Benevolent* College, and for other Purposes. 2641

clxvii. An

clxvii. An Act to enable the *Londonderry and Coleraine* Railway Company to lease a Portion of their Undertaking; and for other Purposes. 2653

clxviii. An Act for more effectually repairing the *Cavendish Bridge and Brassington* Road, and for making a Branch Line of Road in connexion with the same, all in the County of *Derby*. 2657

clxix. An Act for making Railways from the *Farnborough* Extension of the *West London and Crystal Palace* Railway to the *North Kent* Line of the *South-eastern* Railway, and to the *London, Brighton, and South Coast* Railway, with Branches therefrom; and for other Purposes. 2673

clxx. An Act for extending the Limits of the Harbour of *Barrow* in the County Palatine of *Lancaster;* and to enable the Commissioners of the said Harbour to raise a further Sum of Money; and for other Purposes. 2693

clxxi. An Act for vesting the Undertakings of the *Birkenhead* Dock Company, and of the Trustees of the *Birkenhead* Docks in the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*, and for other Purposes. 2705

clxxii. An Act for improving the Postal and Passenger Communication between *England* and *Ireland*, and for authorizing Arrangements between certain Companies in *England* and *Ireland* in relation thereto; and for other Purposes. 2733

clxxiii. An Act to repeal and consolidate the several Acts relating to the *Furness* Railway Company; to enable the said Company to raise a further Sum of Money; to give further Powers to the said Company; and for other Purposes. 2741

clxxiv. An Act to authorize the Trustees of the *Liverpool* Docks to construct new Works, and to raise a further Sum of Money; and for other Purposes. 2785

clxxv. An Act for enabling the *South Staffordshire* Railway Company to make certain Branch Railways; for the Purchase of additional Lands at *Wichnor* and *Dudley;* and for other Purposes. 2805

clxxvi. An Act for maintaining and improving the Road from *Gateshead* in the County of *Durham* to the *Hexham* Turnpike Road near *Dilston Bar* in the County of *Northumberland*, and other Roads connected therewith. 2821

clxxvii. An Act to enable the *Portsmouth* Railway Company to make an Alteration in the Line of their Railway; and for other Purposes. 2833

clxxviii. An Act for the Improvement of the Borough of *Shrewsbury* in the County of *Salop*. 2841

clxxix. An Act to correct an Oversight in "The *Hereford* Improvement Act, 1854." 2889

clxxx. An Act to incorporate a Company for making a Railway from the *Bishop Auckland* Branch of the *North-eastern* Railway in the Township of *Elvet* to the Township of *Brandon* and *Byshottles*, all in the County of *Durham*, to be called "The *Dearness Valley* Railway;" and for other Purposes. 2893

clxxxi. An

clxxxi. An Act to enable the *Oxford, Worcester, and Wolverhampton* Railway Company to alter and improve certain of their Works, and to construct additional Works; and to authorize Arrangements with respect to the *Stratford-upon-Avon* Canal; and for other Purposes. 2913

clxxxii. An Act for enabling the *Somerset Central* Railway Company to construct Railways to *Wells* and to *Burnham*, and a Pier at *Burnham*, and to raise additional Capital; and for other Purposes. 2945

clxxxiii. An Act for the making and maintaining of the *Severn Valley* Railway; and for other Purposes. 2973

clxxxiv. An Act to facilitate the Erection of One or more Churches in the Parishes of *Tormoham* and *Saint Mary Church*, at or near the Town of *Torquay*, in the County of *Devon*; and for other Purposes. 3005

clxxxv. An Act to repeal the Act of the Ninth *Victoria*, Chapter Thirty-two, to reconstitute and extend the Police District therein mentioned under the Name of the *Airdrie* Rural Police District, and to erect and maintain a Hall, Court House, and Public Offices for the *Airdrie* District of *Lanarkshire*. 3017

clxxxvi. An Act to authorize the Transfer of the Undertaking of the *Deptford* Gaslight and Coke Company to the *Surrey* Consumers Gas Company, and to wind up the Affairs of the first-named Company; and for other Purposes. 3045

clxxxvii. An Act for enabling the *East Kent* Railway Company to extend their authorized Line of Railway by the Construction of a Railway from *Canterbury* to *Dover*, with Two Branches at *Dover*; to increase their Capital; and for other Purposes. 3057

clxxxviii. An Act for amending the Acts relating to the *London and South-western* Railway Company; for regulating their Capital; and for other Purposes. 3073

clxxxix. An Act for the Conservancy and Improvement of *Dundalk* Harbour and Port, and for other Purposes. 3105

cxc. An Act for making certain Railways to connect *Glasgow*, *Dumbarton*, and *Helensburgh*, in the Counties of *Lanark* and *Dumbarton*; and for making Provision for the Use and working of the said Railways. 3165

cxci. An Act for making a Railway from the *Great Western* Railway at *Southall* in the County of *Middlesex* to *Brentford* in the same County, with Docks at the last-mentioned Place; and for other Purposes. 3197

cxcii. An Act for making a Railway and Pier to and at *Stokes Bay* in the County of *Hants*. 3225

cxciii. An Act for extending the Times granted to the *Westminster* Improvement Commissioners by "The *Westminster* Improvement Act, 1845," "The *Westminster* Improvement Act, 1847," "The *Westminster* Improvement Act, 1850," and "The *Westminster* Improvement Act, 1853," for the compulsory Purchase of Lands and the Completion of Works; and for altering the Corporate Name of "The *Westminster* Association for improving the Dwellings of the Working Classes" to "The *London* and *Westminster* Association for improving the Dwellings of the Working Classes;" and for other Purposes. 3241

cxciv. An

cxciv. An Act to change the corporate Name of the *Derbyshire, Staffordshire, and Worcestershire Junction* Railway Company, to repeal their Act and consolidate their Powers, to alter and define their Undertaking, to reduce their Capital; and for other Purposes. 3253

cxcv. An Act for facilitating the Completion of the *Westminster* Improvements, and for the Incorporation of the *Westminster* Land Company for a limited Period for that Purpose. 3277

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PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

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18° & 19° VICTORIÆ,

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S. - - - - Scotland
I. - - - - Ireland.
E & I. - - - England and Ireland.
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LIFE INSURANCE, to continue 16 & 17 Vict. c. 91. for extending for a limited Time the Provision for Abatement of Income Tax in respect of - - - - - -	35.	G.B.&I.
LIGHTHOUSES (COLONIAL), to facilitate the Erection and Maintenance of - - - - - - -	91.	U.K.
LIMITED LIABILITY of Members of certain Joint Stock Companies - - - - - - - -	133.	E.
LIS PENDENS, for the better Protection of Purchasers against Cases of - - - - - - - -	15.	U.K.
LOAN; for raising 16,000,000*l.* by way of Annuities - -	18.	U.K.
——— to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of Tobago - -	107.	U.K.
——— *See also* TURKISH LOAN. SARDINIA.		
LOANS advanced by way of Relief to the Islands of Antigua, Nevis, and Montserrat, to authorize the Commissioners of the Treasury to make Arrangements concerning certain -	71.	U.K.
LONDON, for the better Local Management of - - -	120.	E.
LUNACY REGULATION ACT, 1853, to explain and amend - -	13.	E.
LUNATIC ASYLUMS (PRIVATE), to continue 5 & 6 Vict. c. 123. for amending the Law relative to - - - -	76.	I.
LUNATIC ASYLUMS (PUBLIC), ACT, 1853, to amend, and also the Acts passed in the 9th and 17th Years of Her Majesty, for the Regulation and Care of Lunatics - -	105.	E.
——— (Advances); to make further Provisions for the Repayment of Advances out of the Consolidated Fund for the Erection and Enlargement of Asylums for the Lunatic Poor, and to amend the Laws with reference to the Repayments in case of Change of Districts, and the Appointment of Commissioners of General Control and Correspondence - - - -	109.	I.

M.

	Cap.	Relating to
MALACCA; to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca -	93.	U.K.
MALT, allowed to be used Duty-free in the distilling of Spirits -	94.	G.B.&I.
MANUFACTURES, to allow Spirit of Wine Duty-free to be used in	38.	U.K.
MARINE MUTINY; for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - - -	12.	U.K.
MARRIAGES, to make further Provision for the Registration of -	29.	S.
——— to render valid certain Marriages in Christ Church in the Chapelry of Todmorden and Parish of Rochdale in the Counties of Lancaster and York - -	66.	E.
MATRICULATIONS in the University of Dublin, to repeal the Stamp Duties payable on - - - - -	82.	I.
——— in the University of Oxford, to repeal the Stamp Duties payable on - - - - - -	36.	E.
MEASURES; for legalizing and preserving the restored Standards of Weights and Measures - - - - -	72.	U.K.
MERCHANT SHIPPING ACT, 1854, to amend - - -	91.	U.K.
METROPOLIS, for the better Local Management of - -	120.	E.
——— to amend the Laws relating to the Construction of Buildings in the Metropolis and its Neighbourhood -	122.	E.
MIDDLESBROUGH (*N.R. York*), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - -	125.	E.
MILITIA, to enable Her Majesty to accept the Services of, out of the United Kingdom, for the vigorous Prosecution of the War - - - - - -	1.	U.K.
——— (No. 2.) to amend the Laws relating to - -	57.	E.
——— to amend the Law concerning the Qualification of Officers of the Militia - - - - - -	100.	U.K.
——— to remove Doubts as to the Commissions of Officers of, in Ireland, who have omitted to deliver to the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission; and to amend the Law relating to the Militia in Ireland - - - - - -	19.	I.
MILITIA BALLOTS SUSPENSION; to suspend the making of Lists and the Ballots for the Militia of the United Kingdom -	106.	U.K.
MILITIA PAY; to defray the Charge of the Pay, Clothing, &c. of the Disembodied Militia in Great Britain and Ireland; to grant Allowances, in certain Cases, to Subaltern Officers, &c.; and to authorize the Employment of the Non-commissioned Officers - - - - - - -	123.	U.K.
MOLASSES, allowed to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Molasses -	94.	G.B.&I.
MONTSERRAT (ISLAND OF), to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to - - -	71.	U.K.
MUSEUM; to amend 17 & 18 Vict. c. 99. to provide for the Erection of a Public Museum in Dublin - - -	44.	I.
——— for further promoting the Establishment of Free Public Libraries and Museums - - - - -	40	I.
——— for further promoting the Establishment of Free Public Libraries and Museums in Municipal Towns, and for extending it to Towns governed under Local Improvement Acts, and to Parishes - - -	70.	E.

	Cap.	Relating to
MUTINY; for punishing Mutiny and Desertion - - -	11.	U.K.
——— (MARINE); for the Regulation of Her Majesty's Royal Marine Forces while on shore - - -	12.	U.K.

N.

NATIONAL GALLERY, &c. (DUBLIN); to amend 17 & 18 Vict. c. 99. for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum in Dublin -	44.	I.
NAVIGATION WORKS; to authorize the Application of certain Sums granted by Parliament for Drainage and other Works of public Utility, towards the Completion of certain Navigations undertaken in connexion with Drainages; and to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith - . , - -	110.	I.
NESS (RIVER), to extend the Provisions of 14 & 15 Vict. c. 66. for rebuilding the Bridge over, at Inverness - -	113.	S.
NETHERHALL LEDBURY. *See* LEDBURY.		
NEVIS (ISLAND OF), to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to - - - -	71.	U.K.
NEW SOUTH WALES; to enable Her Majesty to assent to a Bill, as amended, of the Legislature of New South Wales, "to "confer a Constitution on New South Wales, and to grant "a Civil List to Her Majesty" - - - -	54	U.K.
NEWSPAPERS, to amend the Laws relating to the Stamp Duties on	27.	U.K.
NUISANCES REMOVAL AND DISEASES PREVENTION ACTS, 1848 and 1849, to consolidate - - - -	121.	E.

O.

OATHS, to allow Affirmations or Declarations to be made instead of, in certain Cases - - - -	25.	S.
——— to enable British Diplomatic and Consular Agents abroad to administer Oaths - - - -	42.	U.K.
OFFICES, for granting to Her Majesty an increased Rate of Duty on Profits arising from - - - - -	20.	U.K.
OFFICES AND EMPLOYMENTS, annual Indemnity Act for Persons neglecting to qualify for - - - -	49.	U.K.
ORDNANCE, for transferring the Powers and Estates vested in the Principal Officers of, to One of Her Majesty's Principal Secretaries of State - - - - -	117.	U.K.
OUTRAGE, to continue 11 & 12 Vict. c. 2. for the better Prevention of - - - - - - - -	112.	U.K.
OXFORD (UNIVERSITY OF), to repeal the Stamp Duties payable on Matriculation and Degrees in - - - -	36.	E.

P.

PARLIAMENTARY REPRESENTATION in Scotland, to amend 2 & 3 W. 4. c. 65., so far as relates to the Procedure in County Elections in that Country - - -	24.	S.
PASSENGER SHIPS (CHINESE), for the Regulation of - -	104.	U.K.
PASSENGERS, to amend the Law relating to the Carriage of, by Sea - - - - - - - -	119.	U.K.
PLEADING, to continue 13 & 14 Vict. c. 16. for enabling the Judges of the Courts of Common Law at Westminster to alter the Forms of - - - - -	26.	E.

	Cap.	Relating to
POOR; to continue 17 & 18 Vict. c. 43. for charging the Maintenance of certain poor Persons in Unions upon the Common Fund - - - - -	47.	E.
——— to continue the Exemption of Inhabitants from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor - -	51.	E.
——— to amend the Law regarding the Burial of poor Persons by Guardians and Overseers of - - -	79.	E.
PRINCE of WALES ISLAND; to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca - - - - -	93.	U.K.
PROMISSORY NOTES, to facilitate the Remedies on, by the Prevention of frivolous or fictitious Defences to Actions thereon -	67.	E.
PROPERTY AND PROFESSIONS, for granting to Her Majesty an increased Rate of Duty on Profits arising from - -	20.	U.K.
PUBLIC HEALTH ACT, 1854, to continue and amend - -	115.	E.
——— to confirm Provisional Orders of the General Board of Health, applying the Public Health Act, 1848, to the Districts of Middlesbrough, Windhill, Christchurch, Keighley, Tunstall, and Toxteth Park, and for Alteration of the Boundaries of the District of Romford -	125.	E.
PUBLICATIONS, to provide for the Transmission of periodical Publications by Post - - - - -	27.	U.K.
PUBLIC HOUSES, for the Transfer of Licences of - -	114.	I.
PUBLIC LIBRARIES AND MUSEUMS (FREE), for further promoting the Establishment of - - - -	40.	I.
——— for further promoting the Establishment of, in Municipal Towns, and for extending it to Towns governed under Local Improvement Acts, and to Parishes - -	70.	E.
PUBLIC WORKS; to enable the Commissioners of Her Majesty's Works and Public Buildings to provide additional Offices for the Public Service in or near Downing Street, Westminster - - - - - - -	95.	E.
PURCHASERS PROTECTION AGAINST JUDGMENTS; for the better Protection of Purchasers against Judgments, Crown Debts, Cases of Lis pendens, and Life Annuities or Rentcharges -	15.	E.

Q.

QUEEN, the; to carry into effect a Treaty between Her Majesty and the United States of America - -	3.	U.K.
——— to carry into effect a Convention between Her Majesty and the King of Sardinia - - - -	17.	U.K.
——— to enable Her Majesty to assent to a Bill, as amended, of the Legislature of New South Wales, "to confer a Constitution on New South Wales and to grant a Civil List to Her Majesty" - - - -	54.	U.K.
——— to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria - -	55.	U.K.
——— to give effect to a Convention between Her Majesty and the United States of America - - -	77.	U.K.
——— for carrying into effect the Engagements between Her Majesty and certain Chiefs of the Sherbro Country near Sierra Leone in Africa, for the more effectual Suppression of the Slave Trade - - -	85.	U.K.
——— to enable Her Majesty to carry into effect a Convention made between Her Majesty, the Emperor of the French, and His Imperial Majesty the Sultan - -	99.	U.K.

	Cap.	Relating to
QUEEN, the, for the more effectual Execution of the Convention between Her Majesty and the French Government concerning the Fisheries in the Seas between the British Islands and France - - -	101.	U.K.

R.

RAGLAN (Emily Harriet Lady, and Richard Henry Fitzroy Lord ; to settle Annuities on Emily Harriet Lady Raglan and Richard Henry Fitzroy Lord Raglan, and the next surviving Heir Male of his Body, in consideration of the eminent Services of the late Field Marshal Lord Raglan -	64.	U.K
REFORMATORY AND INDUSTRIAL SCHOOLS ; to amend the Act for rendering them more available for the Benefit of Vagrant Children - - - - - -	87.	S.
REGISTRATION of Births, Deaths, and Marriages, to make further Provision for - - - - -	29.	S.
RELIGIOUS WORSHIP, to facilitate Grants of Land and Tenements for the Purpose of, and other Purposes connected therewith - - - - -	39.	I.
—— to amend the Law concerning the certifying and registering of Places of Religious Worship - -	81.	E.
—— for securing the Liberty of Religious Worship - -	86.	E.
RENTCHARGES, for the better Protection of Purchasers against -	15.	E.
REVENUE ; for the Payment of Costs in Proceedings instituted in behalf of the Crown in Matters relating to the Revenue	90	U.K.
ROCHDALE, to render valid certain Marriages in Christchurch in the Chapelry of Todmorden and Parish of - -	66.	E.
ROMFORD (*Essex*), to confirm Provisional Order of the General Board of Health for Alteration of the Boundaries of the District of - - - - - -	125.	E.

S.

SALE OF BEER, &c. ; to repeal 17 & 18 Vict. c. 79. for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof -	118.	E.
SARDINIA ; to carry into effect a Convention between Her Majesty and the King of Sardinia - - -	17.	U.K.
SCHOOL GRANTS ; to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education - - - -	131	G.B.
SCHOOLS ; to facilitate Inquiries of Commissioners of Endowed Schools in Ireland - - - - -	59.	I.
—— to amend the Act to render Reformatory and Industrial Schools more available for the Benefit of Vagrant Children - - - - - -	87.	S.
SECRETARY OF STATE ; to enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons - - - -	10.	U.K.
—— for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance - - -	117.	U.K.
SECURITIES to the Inland Revenue, to amend the Law relating to - - - - - - - -	78.	G.B.
SEWERS (HOUSE DRAINAGE), Commissioners of Sewers empowered to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose - - - - -	30.	E.

	Cap.	Relating to
SHERBRO COUNTRY, near Sierra Leone in Africa, to carry into effect the Engagements between Her Majesty and certain Chiefs of, for the more effectual Suppression of the Slave Trade - - - - - -	85.	U.K.
SINGAPORE; to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca - - - - - -	93.	U.K.
SLAVE TRADE; for carrying into effect the Engagements between Her Majesty and certain Chiefs of the Sherbro Country near Sierra Leone in Africa, for the more effectual Suppression of the Slave Trade - - - -	85.	U.K.
SOUTH WALES. *See* NEW SOUTH WALES.		
SPEAKER OF THE HOUSE OF COMMONS, to provide for the Performance of certain Duties of, during his temporary Absence from the House of Commons - - -	84.	U.K.
SPIRIT OF WINE, allowed to be used Duty-free in the Arts and Manufactures of the United Kingdom - - -	38.	U.K.
SPIRITS, &c.; for granting certain Additional Rates and Duties of Excise - - - - - - -	22	G.B.&I.
SPIRITS; to amend 17 & 18 Vict. c. 89. for amending the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation - - - - -	62.	I.
——— to amend 17 & 18 Vict. c. 89. relating to the Sale of Spirits by unlicensed Persons and illicit Distillation, and also to repeal so much of 3 & 4 W. 4 c. 68. as requires Persons applying for Licences for the Sale of Spirits by Retail to enter into a Bond with Sureties -	103.	I.
——— to impose increased Rates of Excise Duty on Spirits distilled in the United Kingdom, and to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits, instead of Allowances and Drawbacks on such Spirits, Sugar, and Molasses respectively - - - - - - -	94.	G.B.&I.
STAGE CARRIAGES, to reduce certain Duties payable on - -	78.	G.B.
STAMP DUTIES, to amend the Laws relating to - -	78.	G.B.
——— on Newspapers, to amend the Laws relating to -	27.	U.K.
——— payable on Matriculation and Degrees in the University of Oxford, to repeal - - - -	36.	E.
——— payable on Matriculation and Degrees in the University of Dublin, to repeal - - -	82.	I.
STANDARDS of Weights and Measures, for legalizing and preserving the restored - - - - - -	72.	U.K.
STANNARY COURT, to amend and extend the Jurisdiction of -	32.	E.
STOCK IN TRADE, to continue the Exemption of Inhabitants from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor - -	31.	E.
SUGAR, for granting certain Duties of Customs on - -	21.	U.K.
——— for granting certain additional Rates and Duties of Excise on - - - - - -	22	G.B.&I.
——— to allow Sugar to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Sugar - - - - - - -	94.	G.B.&I.
SULTAN; to enable Her Majesty to carry into effect a Convention made between Her Majesty, the Emperor of the French, and His Imperial Majesty the Sultan - - -	99.	U.K.

	Cap.	Relating to
SUPPLIES; to apply 3,300,000*l.* out of the Consolidated Fund to the Service of the Year ending 31st March 1855 -	5.	U.K.
——— to apply 20,000,000*l.* out of the Consolidated Fund to the Service of the Year 1855 - - -	6.	U.K.
——— for raising 17,183,000*l.* by Exchequer Bills, for the Service of the Year 1855 - - - -	8.	U.K.
——— for raising 16,000,000*l.* by way of Annuities - -	18.	U.K.
——— to apply 10,000,000*l.* out of the Consolidated Fund to the Service of the Year 1855 - - -	37.	U.K.
——— for raising 7,000,000*l* by Exchequer Bills and Bonds, for the Service of the Year 1855 - - -	130.	U.K.
——— Appropriation of - - - -	129.	U.K.

T.

TEA, to suspend the Decline of the Customs Duties on, from and after 5th April 1855 - - - - -	9.	U.K.
——— for granting certain Duties of Customs on - -	21.	U.K.
TENEMENTS, to facilitate Grants of, for the Purpose of Religious Worship and other Purposes connected therewith -	39.	I.
TITHE COMMUTATION ACTS, for completing Proceedings under -	52.	E.
TOBAGO, to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of - - - -	107.	U.K.
TODMORDEN; to render valid certain Marriages in Christ Church in the Chapelry of (*Lancaster and York*) - -	66.	E.
TOXTETH PARK (*Lancaster*), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - - -	125.	E.
TRADES, for granting to Her Majesty an increased Rate of Duty on Profits arising from - - - - -	20.	U.K.
TRINITY COLLEGE, DUBLIN, to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of, and of certain Professors in the said College -	82.	I.
TUNSTALL (*Stafford*), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - - - - -	125.	E.
TURKISH LOAN; to enable Her Majesty to carry into effect a Convention made between Her Majesty, His Majesty the Emperor of the French, and His Imperial Majesty the Sultan - - - - - -	99.	U.K.
TURNPIKE ACTS, to continue certain - - -	98. 83.	G.B. I.
TURNPIKE TRUSTS, to confirm certain Provisional Orders made under 14 & 15 Vict. c. 38. to facilitate Arrangements for the Relief of - - - - - -	102.	E.

U.

UNION CHARGES ACT CONTINUANCE; to continue 17 & 18 Vict. c. 43. for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund -	47.	E.
UNION of Contiguous Benefices, to make better Provision for -	127.	E.
UNITED STATES OF AMERICA, to carry into effect a Treaty between Her Majesty and - - - -	3.	U.K.
——— to give Effect to a Convention between Her Majesty and	77.	U.K.

	Cap.	Relating to
V.		
VALIDITY OF PROCEEDINGS (HOUSE OF COMMONS), to prevent Doubts as to - - - - - -	33.	U.K.
VAGRANT CHILDREN, to amend the Act to render Reformatory Schools more available for the Benefit of - - -	87.	S.
VICTORIA (COLONY OF); to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria - -	55.	U.K.
W.		
WASTE LANDS OF THE CROWN in Her Majesty's Australian Colonies; to repeal the Acts of Parliament now in force respecting the Disposal of such Waste Lands, and to make other Provisions in lieu thereof - - - - - -	56.	U.K.
WEDDING RINGS; for excepting Gold Wedding Rings from the Operation of 17 & 18 Vict. c. 96. relating to the Standard of Gold and Silver Wares, and from the Exemptions contained in other Acts relation to Gold Wares - -	60.	U.K.
WEIGHTS AND MEASURES, for legalizing and preserving the restored Standards of - - - - - -	72.	U.K.
WEST INDIES RELIEF LOANS ARRANGEMENT; to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of Antigua, Nevis, and Montserrat - -	71.	U.K.
WINDHILL (*York*), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - - - - - -	125.	E.
WOOLMER FOREST, to authorize the letting Part of - -	16.	E.
——— for disafforesting - - - - - -	46.	E.
WORKING CLASSES, to facilitate the Erection of Dwelling Houses for - - - - - - -	88.	S.
Y.		
YOUTHFUL OFFENDERS, to amend 17 & 18 Vict. c. 86. for the better Care and Reformation of, and the Act 17 & 18 Vict. c. 74., to render Reformatory and Industrial Schools more available for the Benefit of Vagrant Children - - -	87.	S.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO REGNI

VICTORIÆ,

Britanniarum Reginæ,

DECIMO OCTAVO.

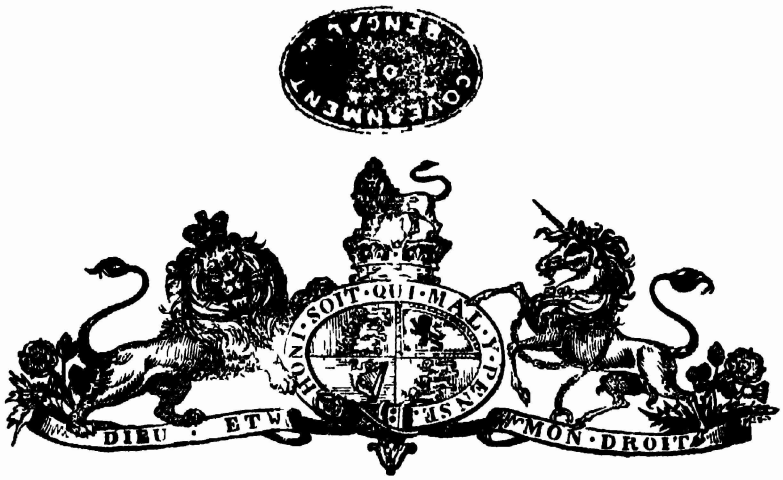
At the Parliament begun and holden at *Westminster*, the Fourth Day of *November*, *Anno Domini* 1852, in the Sixteenth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith:

And from thence continued, by several Prorogations, to the Twelfth Day of *December* 1854; being the THIRD SESSION of the SIXTEENTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*

LONDON:

Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.

1854.



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

***

Militia, as may make a voluntary Offer, duly certified by their respective Commanding Officers, so to extend their Services, and as Her Majesty may think proper to permit to extend their Services in consequence of such voluntary Offers as aforesaid; and it shall be lawful for Her Majesty, by any Order signed by One of Her Principal Secretaries of State, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or by his or their Chief Secretary, directed to the Commanding Officer of any Regiment, Battalion, or Corps of such Militia, to propose to such Regiment, Battalion, or Corps, or any Part or Parts thereof, to extend their Services to any Parts or Places out of the United Kingdom to be specified in such Order, under such Rules and Regulations as Her Majesty may think fit to appoint.

Power to allow Bounties to Persons making voluntary Offers.

II. It shall be lawful for Her Majesty to direct that such Bounty as shall from Time to Time be fixed by the Secretary at War shall be allowed to every Non-commissioned Officer, Drummer, and Private Man who shall make such voluntary Offer as aforesaid; and every Non-commissioned Officer, Drummer, and Private Man making such voluntary Offer as aforesaid shall take the following Oath; videlicet,

Oath.

'I *A.B.* do sincerely promise and swear, That I will be faithful and 'bear true Allegiance to Her Majesty Queen *Victoria*, and that 'I will faithfully serve in the Militia for the Term of Five Years, 'in [*this Blank to be filled up according to the Name of the Place 'or Places to which the Offer of the extended Service applies*], 'unless I shall be sooner discharged.'

Enrolment.

And every Non-commissioned Officer, Drummer, and Private Man, making such voluntary Offer as aforesaid, and taking such Oath, shall be enrolled to serve in the Militia, according to the Terms of such Oath; and such several Enrolments shall take place, and such Oaths shall be administered, by the Officer commanding any Regiment, Battalion, or Corps of Militia, or by any Deputy Lieutenant or Justice of the Peace, at such Times and under such Regulations as Her Majesty, by any Order to be signed by the Secretary of State, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Secretary, shall in that Behalf direct; and every Non-commissioned Officer, Drummer, and Private Man so enrolled for extended Service in the Militia under the Provisions of this Act shall be entitled to his Discharge at the Expiration of the Period specified in such Oath, without regard to the Period for which he may have been enrolled to serve in the Militia under any other Act of Parliament.

III. No

Militia.

III. No Person serving in the Militia shall be compelled to make such Offer, nor be engaged to serve out of the United Kingdom, except by his own Consent; and no Commanding Officer shall certify, according to this Act, any voluntary Offer, before he has explained to each Person offering to serve that the Offer is to be purely voluntary.

Commanding Officers shall explain that the Offer is to be voluntary.

IV. It shall be lawful for Her Majesty to accept the Services of Three Field Officers of any Regiment of Militia, in which Nine hundred Private Men shall offer to extend their Services under this Act; and of Two Field Officers of any Regiment, Battalion, or Corps of Militia, in which Six hundred Private Men shall so offer to extend their Services; and of One Field Officer of any Regiment, Battalion, or Corps of Militia, in which Three hundred Private Men, or any smaller Number not being less than Three Fourths of the Number of Private Men actually serving in such Regiment, Battalion, or Corps, shall so offer to extend their Services; and in the Cases in which such Proportion of Field Officers of any Regiments, Battalions, or Corps of Militia, from which such Numbers of Men respectively shall so volunteer as aforesaid, shall not offer to extend their Services with such Men, it shall be lawful for Her Majesty to give the Rank of Field Officers to any Captains in such Regiments, Battalions, or Corps of Militia respectively, who may offer to extend their Services with such Men; and it shall also be lawful for Her Majesty to accept the Services of such Proportion of other Officers, Non-commissioned Officers, and Drummers, with any such Numbers of Private Men, as shall be allowed to such Numbers of Men respectively in the Establishment of the Regiment, Battalion, or Corps to which they respectively belong.

The Services of Three Field Officers may be accepted with 900 Men, Two Field Officers with 600 Men, and One with 300, &c., and Proportion of other Officers according to Establishment of Regiment.

V. It shall be lawful for Her Majesty from Time to Time to form the Officers, Non-commissioned Officers, Drummers, and Private Men who shall so extend their Services from the Regiments, Battalions, or Corps of Militia, into such Provisional Regiments or Battalions as may be deemed most expedient for Her Majesty's Service; and it shall be lawful for Her Majesty to appoint any such Number of Officers of Her regular Forces or Militia as Her Majesty may think fit to serve during any Period of extended Service of the Militia out of the United Kingdom as Field Officers in such Provisional Regiments or Battalions of Militia, in addition to the Officers of the Militia allowed to volunteer for extended Service, in proportion to the Number of Men who shall extend their Service; and all Persons so appointed to serve as Field Officers in any such Provisional Regiments or Battalions shall rank as Field Officers therein, in such Manner as Her Majesty shall direct.

Power to Her Majesty to form the Militia for extended Service into such Provisional Regiments or Battalions, and to appoint Field Officers to such Provisional Regiments.

Provisions for Cases where Field Officers volunteer and Militia Officers are appointed to higher Ranks.

VI. Provided always, That in every Case in which a Field Officer of Militia shall have volunteered for extended Service, the Officer having the chief Command in the Provisional Battalion shall be a Field Officer of Militia: Provided also, that all Officers of Militia appointed by Her Majesty to serve in any Provisional Battalion with higher Rank than that which they previously held in the Militia shall be deemed and taken to be Militia Officers of such higher Rank for the Purposes of this Act, and as such shall be capable of commanding such Provisional Battalion.

No Militia Officer to rank higher than Lieutenant Colonel.

VII. Provided also, That no Officer of the Militia shall, while out of the United Kingdom upon any such extended Service, rank with the Officers of Her Majesty's Regular Forces higher than as a Lieutenant-Colonel of the Militia.

In case sufficient Officers do not volunteer, Her Majesty may appoint Officers.

VIII. In any Case in which the Number of Officers of each Rank so volunteering to extend their Services, and accepted by Her Majesty, shall not be in due Proportion to the Number of Men so volunteering, it shall be lawful for Her Majesty to appoint any fit Persons to be Officers in such Provisional Battalions of Militia, without regard to the Qualifications required by Law for such Officers in the Militia; but no Person so appointed by Her Majesty shall hold a Commission in any such Provisional Battalion of higher Rank than that of a Subaltern, unless he shall at the Time of such Appointment have been an Officer in Her Majesty's Regular Forces or Militia.

Her Majesty may supply Vacancies.

IX. It shall be lawful for Her Majesty from Time to Time to supply any Vacancies which may occur in Provisional Battalions of Militia in consequence of the Death, Resignation, or Dismissal of Officers appointed by Her under this Act; but nothing herein contained shall be construed to affect the Appointment of Officers as by Law established in any Case of Vacancy which may occur in consequence of the Death, Resignation, or Dismissal of any Militia Officer who may have volunteered for extended Service.

Militia on extended Service subject to Mutiny Act as Regulars, and Militia Officers and Officers of Regular Forces to sit indiscriminately on Courts martial.

X. All Officers, Non-commissioned Officers, Drummers, and Private Men of the Militia extending their Services under this Act shall, upon leaving the United Kingdom upon such extended Service, and during such Service until their Return to the United Kingdom, be subject to all the Laws in force for the Punishment of Mutiny and Desertion, in like Manner in every respect as Her Majesty's Regular Forces; and all Officers of Her Majesty's Regular Forces shall be entitled to sit in any Court-martial upon the Trial of any Officer, Non-commissioned Officer, Drummer, or Private Man of the Militia, while so serving out of the United Kingdom under this Act; and all Officers of the Militia shall during such extended Service

Service be entitled to sit in any Court-martial upon the Trial of any Officer, Non-commissioned Officer, or Soldier of Her Majesty's Regular Forces.

XI. Provided always, That all the Militia enrolled and formed for extended Service under this Act shall, notwithstanding such Extension of Service, remain subject to all the Provisions and Regulations in force in relation to the Militia to which they shall respectively belong, except in such Cases as are in this Act particularly specified.

To continue Militia, and remain subject to Militia Regulations, except as particularly provided.

XII. It shall be lawful for Her Majesty, from Time to Time, to make such Regulations as Her Majesty may deem expedient for retaining, at the Expiration of any extended Service out of the United Kingdom, any Field Officers, Captains, or other Officers of Militia who have actually served upon any such extended Service in any higher Ranks than those in which they volunteered their Services, either as Supernumeraries or otherwise, upon the Establishment of the Militia to which they belonged, with the Rank in which they have so actually served, or upon such other Terms in respect to Rank and Service in the Militia as Her Majesty may think fit.

Regulations may be made for retaining Officers on the Establishment of the Militia after Expiration of extended Service.

XIII. It shall be lawful for Her Majesty from Time to Time to make such Regulations as Her Majesty may deem most expedient for the retaining upon the Establishment of the Militia to which they belong, as Supernumeraries or otherwise, any Officers, Non-commissioned Officers, and Drummers of any Regiment, Battalion, or Corps of Militia who may not so volunteer to extend their Services, or may not be so employed upon such extended Service.

Her Majesty may make Regulations for retaining Officers, Non-commissioned Officers, and Drummers as Supernumeraries.

XIV. And whereas it is expedient that the Law respecting the Property Qualification of Captains in the Militia should be amended: Be it enacted, That any Person who shall have served as a Subaltern in the Militia for Five consecutive Years may, without any Property Qualification, be appointed a Captain in the Militia, any Act of Parliament to the contrary notwithstanding; provided that such Five Years of Service of such Person as a Subaltern as aforesaid shall be the Five Years immediately preceding his Appointment to the Rank of Captain.

Subalterns after 5 Years may be Captains without Qualifications.

XV. Whereas by the Fourth Section of the Act of the Seventeenth Year of the Reign of Queen *Victoria*, Chapter Thirteen, it is amongst other Things provided, that in the Case of drawing out and embodying the Militia in *England*, or any Part thereof, under the Authority of that Act, the Notices to the Militia Men to attend at the Time and Place mentioned in the Order of Her Majesty for drawing out and embodying the Regiment, Battalion, or Corps to which they belong, shall be sent by the Colonel or Commanding Officer of such Regiment, Battalion,

Notices sent by Post to be good.

Battalion, or Corps, by the Post, to the Residences of the several Men as stated on their Attestations, or as subsequently certified by them, and such Notices shall be sufficient in all respects: And whereas it has been found inconvenient to name in the Order of Her Majesty the precise Day and Place for the assembling of that Part of the Militia to which it refers: Be it declared and enacted, That the Notices so sent and to be sent by the Post to the several Men, as by the said lastly above-recited Act is directed, are and shall be good and sufficient in all respects, if they specify the Day and Place which have actually been fixed by the Lord Lieutenant of the County or other Person acting in his Stead for the Meeting of the Regiment, Battalion, or Corps to which they refer, whether such Day and Place be mentioned in Her Majesty's Order for drawing out and embodying the same or not.

Act to extend to the Miners of Cornwall and Devon.

XVI. The Provisions of this Act shall be construed to extend to the Regiment of Miners of *Cornwall* and *Devon* in like Manner and as fully and effectually to all Intents and Purposes as to any Regiment of Militia.

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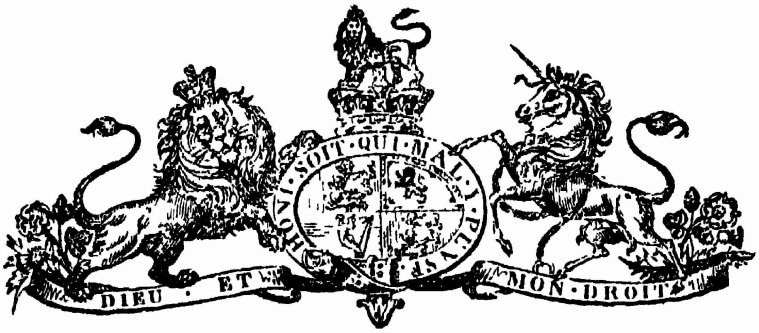

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Kingdom, except for being trained, &c. for Foreign Service, or for training Recruits.

Such Men not to be billeted, &c.

Number of Men limited.

Corps for Foreign Service, and except such Bodies of Reserve as may be kept in the United Kingdom, and which shall be kept and used solely for the Purpose of training and arraying Recruits and for supplying Vacancies in such Regiments, Battalions, or Corps; and the Men serving under this Act shall not be billeted or quartered on any Person or Persons; and that there shall not be within the United Kingdom more in the whole than Ten thousand Men serving under this Act at any One Time.

Attestation on Enlistment and Oath.

III. Every Person enlisted as a Soldier under the Authority of this Act shall be attested in such Manner as Her Majesty shall direct, and not otherwise; and all Officers, Non-commissioned Officers, Drummers, and Private Soldiers enlisting or commissioned under this Act shall take such Oath for their Fidelity during their Continuance in Her Majesty's Service as Her Majesty shall direct, and no other

Mutiny Act and Articles of War to apply to Foreigners serving under this Act.

IV. Subject to the Provisions herein contained, all Officers, Non-commissioned Officers, Drummers, or Private Soldiers serving under the Provisions of this Act, shall be subject to all the Provisions contained in any Act for the Time being in force "for punishing "Mutiny and Desertion, and for the better Payment of the Army "and their Quarters," and the Articles of War made in pursuance thereof, in the same Manner to all Intents and Purposes as any of Her Majesty's Regular Forces are subject to the same.

Officers when reduced not entitled to Half Pay, but Her Majesty may make Provision for such as are wounded, &c.

V. No Officer serving under this Act, when reduced, shall be entitled to receive Half Pay; provided nevertheless, that when any such Officer shall be rendered incapable of Military Service by Wounds or Infirmities contracted while discharging his Military Duty during the Period of his continuing to serve as such Officer under the Provisions of this Act, then and in such Case it shall be lawful for Her Majesty to make such Provision, out of any Funds to be voted by Parliament for that Purpose, for such Officer as She shall think proper and necessary, so that such Provision shall in no Case exceed the Half Pay of the Rank in the *British* Service similar to that which such Officer shall have held at the Time of his becoming so incapable as aforesaid.

Continuance of this Act.

VI. This Act shall continue in force during the present War, and until One Year after the Ratification of a Definitive Treaty of Peace.

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Colonies and the Islands thereof, and also upon the *Magdalon Islands*, for the Purpose of drying their Nets and curing their Fish; provided that in so doing they do not interfere with the Rights of private Property or with *British* Fishermen in the peaceable Use of any Part of the said Coast in their Occupancy for the same Purpose.

It is understood that the above-mentioned Liberty applies solely to the Sea Fishery, and that the Salmon and Shad Fisheries, and all Fisheries in Rivers and the Mouths of Rivers, are hereby reserved exclusively for *British* Fishermen.

And it is further agreed that, in order to prevent or settle any Disputes as to the Places to which the Reservation of exclusive Right to *British* Fishermen contained in this Article and that of Fishermen of the *United States* contained in the next succeeding Article apply, each of the High Contracting Parties, on the Application of either to the other, shall, within Six Months thereafter, appoint a Commissioner. The said Commissioners, before proceeding to any Business, shall make and subscribe a solemn Declaration that they will impartially and carefully examine and decide, to the best of their Judgment and according to Justice and Equity, without Fear, Favour, or Affection to their own Country, upon all such Places as are intended to be reserved and excluded from the common Liberty of fishing under this and the next succeeding Article; and such Declaration shall be entered on the Record of their Proceedings. The Commissioners shall name some Third Person to act as an Arbitrator or Umpire in any Case or Cases on which they may themselves differ in Opinion. If they should not be able to agree upon the Name of such Third Person, they shall each name a Person, and it shall be determined by Lot which of the Two Persons so named shall be the Arbitrator or Umpire in Cases of Difference or Disagreement between the Commissioners. The Person so to be chosen to be Arbitrator or Umpire shall, before proceeding to act as such in any Case, make and subscribe a solemn Declaration in a Form similar to that which shall already have been made and subscribed by the Commissioners, which shall be entered on the Record of their Proceedings. In the event of the Death, Absence, or Incapacity of either of the Commissioners or of the Arbitrator or Umpire, or of their or his omitting, declining, or ceasing to act as such Commissioner, Arbitrator, or Umpire, another and different Person shall be appointed or named as aforesaid to act as such Commissioner, Arbitrator, or Umpire, in the Place and Stead of the Person so originally appointed or named as aforesaid, and shall make and subscribe such Declaration as aforesaid.

Such

Such Commissioners shall proceed to examine the Coasts of the *North American* Provinces and of the *United States* embraced within the Provisions of the First and Second Articles of this Treaty, and shall designate the Places reserved by the said Articles from the common Right of fishing therein.

The Decision of the Commissioners and of the Arbitrator or Umpire shall be given in Writing in each Case, and shall be signed by them respectively.

The High Contracting Parties hereby solemnly engage to consider the Decision of the Commissioners conjointly or of the Arbitrator or Umpire, as the Case may be, as absolutely final and conclusive in each Case decided upon by them or him respectively.

Article II.—It is agreed by the High Contracting Parties that *British* Subjects shall have, in common with the Citizens of the *United States*, the Liberty to take Fish of every Kind, except Shell Fish, on the Eastern Sea Coasts and Shores of the *United States* North of the 36th Parallel of North Latitude, and on the Shores of the several Islands thereunto adjacent, and in the Bays, Harbours, and Creeks of the said Sea Coasts and Shores of the *United States* and of the said Islands without being restricted to any Distance from the Shore, with Permission to land upon the said Coasts of the *United States* and of the Islands aforesaid for the Purpose of drying their Nets and curing their Fish; provided, that in so doing they do not interfere with the Rights of private Property, or with the Fishermen of the *United States* in the peaceable Use of any Part of the said Coasts in their Occupancy for the same Purpose.

It is understood that the above-mentioned Liberty applies solely to the Sea Fishery, and that Salmon and Shad Fisheries, and all Fisheries in Rivers and Mouths of Rivers, are hereby reserved exclusively for Fishermen of the *United States*.

Article III.—It is agreed that the Articles enumerated in the Schedule hereunto annexed, being the Growth and Produce of the aforesaid *British* Colonies, or of the *United States*, shall be admitted into each Country respectively free of Duty:

Schedule.

Grain, Flour, and Bread-stuffs of all Kinds.
Animals of all Kinds.
Fresh, smoked, and salted Meats.
Cotton Wool, Seeds, and Vegetables.
Undried Fruits, dried Fruits.
Fish of all Kinds.

Products

Products of Fish and of all other Creatures living in the Water.
Poultry.
Eggs.
Hides, Furs, Skins, or Tails undressed.
Stone or Marble in its crude or unwrought State.
Slate.
Butter, Cheese, Tallow.
Lard, Horns, Manures.
Ores of Metals of all Kinds.
Coal.
Pitch, Tar, Turpentine, Ashes.
Timber and Lumber of all Kinds, round, hewed, and sawed, unmanufactured in whole or in Part.
Firewood.
Plants, Shrubs, and Trees.
Pelts, Wool.
Fish Oil.
Rice, Broom Corn, and Bark.
Gypsum, ground or unground.
Hewn or wrought or unwrought Burr or Grindstones.
Dye Stuffs.
Flax, Hemp, and Tow unmanufactured.
Unmanufactured Tobacco.
Rags.

ARTICLE IV.—It is agreed that the Citizens and Inhabitants of the *United States* shall have the Right to navigate the River *St. Lawrence*, and the Canals in *Canada*, used as the Means of communicating between the *Great Lakes* and the *Atlantic Ocean*, with their Vessels, Boats, and Crafts, as fully and freely as the Subjects of Her *Britannic* Majesty, subject only to the same Tolls and other Assessments as now are or may hereafter be exacted of Her Majesty's said Subjects; it being understood, however, that the *British* Government retains the Right of suspending this Privilege, on giving due Notice thereof to the Government of the *United States*.

It is further agreed, that if at any Time the *British* Government should exercise the said reserved Right, the Government of the *United States* shall have the Right of suspending, if it think fit, the Operation of Article III. of the present Treaty, in so far as the Province of *Canada* is affected thereby, for so long as the Suspension of the free Navigation of the River *St. Lawrence* or the Canals may continue.

It is further agreed, that *British* Subjects shall have the Right freely to navigate *Lake Michigan* with their Vessels, Boats, and Crafts,

Crafts, so long as the Privilege of navigating the River *St. Lawrence*, secured to *American* Citizens by the above Clause of the present Article, shall continue; and the Government of the *United States* further engages to urge upon the State Governments to secure to the Subjects of Her *Britannic* Majesty the Use of the several State Canals on Terms of Equality with the Inhabitants of the *United States*.

And it is further agreed, that no Export Duty or other Duty shall be levied on Lumber or Timber of any Kind cut on that Portion of the *American* Territory in the State of *Maine* watered by the River *St. John* and its Tributaries, and floated down that River to the Sea, when the same is shipped to the *United States* from the Province of *New Brunswick*.

Article V.—The present Treaty shall take effect as soon as the Laws required to carry it into operation shall have been passed by the Imperial Parliament of *Great Britain* and by the Provincial Parliaments of those of the *British North American* Colonies which are affected by this Treaty on the one Hand, and by the Congress of the *United States* on the other. Such Assent having been given, the Treaty shall remain in force for Ten Years from the Date at which it may come into operation, and further until the Expiration of Twelve Months after either of the High Contracting Parties shall give Notice to the other of its Wish to terminate the same; each of the High Contracting Parties being at liberty to give such Notice to the other at the End of the said Term of Ten Years, or at any Time afterwards.

It is clearly understood, however, that this Stipulation is not intended to affect the Reservation made by Article IV. of the present Treaty with regard to the Right of temporarily suspending the Operation of Articles III. and IV. thereof.

Article VI.—And it is hereby further agreed, that the Provisions and Stipulations of the foregoing Articles shall extend to the Island of *Newfoundland*, so far as they are applicable to that Colony. But if the Imperial Parliament, the Provincial Parliament of *Newfoundland*, or the Congress of the *United States*, shall not embrace, in their Laws enacted for carrying this Treaty into effect, the Colony of *Newfoundland*, then this Article shall be of no Effect; but the Omission to make Provision by Law to give it Effect, by either of the Legislative Bodies aforesaid, shall not in any way impair the remaining Articles of this Treaty.

And whereas the said Treaty was ratified between Her said Majesty and the *United States*, and such Ratification was exchanged on the Ninth Day of *September* One thousand eight hundred and fifty-four: And whereas in pursuance of the said Treaty the Senate and House

of Representatives of the United States of *America* in Congress assembled have passed an Act entitled "An Act to carry into effect "a Treaty between the *United States* and *Great Britain*," signed on the Fifth Day of *June* One thousand eight hundred and fifty-four, which Act was approved on the Fifth Day of *August* One thousand eight hundred and fifty-four, by which Act it is among other things provided, that whenever the President of the *United States* shall receive satisfactory Evidence that the Imperial Parliament of *Great Britain*, and the Provincial Parliaments of *Canada*, *New Brunswick*, *Nova Scotia*, and *Prince Edward's Island* have passed Laws on their Part to give full Effect to the Provisions of the said Treaty, the said President is thereby authorized to issue his Proclamation declaring that he has such Evidence, and thereupon the Provisions of the said Treaty shall go into effect, and be observed on the Part of the *United States*: And whereas the Legislatures of the Colonies aforesaid have respectively passed Laws to carry the said Treaty into operation; namely, an Act passed by the Legislature of *Canada*, intituled "An Act for giving Effect on the Part of this Province to "a certain Treaty between Her Majesty and the United States of "*America*;" an Act passed by the Legislature of *Nova Scotia*, intituled "An Act for giving Effect on the Part of the Province of "*Nova Scotia* to a certain Treaty between Her Majesty and the "United States of *America*;" an Act passed by the Legislature of *New Brunswick*, intituled "An Act for giving Effect on the Part of "the Province of *New Brunswick* to a certain Treaty between Her "Majesty and the United States of *America*;" and an Act passed by the Legislature of *Prince Edward Island*, intituled "An Act to autho-"rize Free Trade with the United States of *America* under a Treaty "between *Great Britain* and the United States of *America*:" And whereas it is expedient that effectual Provision should be made by Parliament for carrying into operation the said Treaty: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts at variance with Provisions of the said Treaty suspended.

I. All Acts of Parliament and Laws which operate to prevent the Provisions of the said Treaty from taking full Effect shall, so far as they so operate, be suspended and of no Effect during the Continuance of the said Treaty.

Act to come into operation as soon as proclaimed in certain Colonies.

II. This Act shall come into operation in each of the said Colonies of *Canada*, *New Brunswick*, *Nova Scotia*, and *Prince Edward Island* as soon as the same shall have been received and proclaimed by the Officer administering the Government of such Colony.

III. Whenever

III. Whenever the necessary Laws shall have been passed by the Legislature of *Newfoundland*, and approved by Her Majesty, for giving Effect to the Provisions and Stipulations of the said Treaty as it respects that Colony, it shall be lawful for the Officer administering the Government of *Newfoundland* by his Proclamation to declare that, after a Time fixed in such Proclamation for that Purpose, the Provisions and Stipulations mentioned or referred to in the Sixth Article of the said Treaty shall extend to the said Island of *Newfoundland* so far as they are applicable to that Colony, and thereupon from the Time so fixed the said Provisions and Stipulations shall be so extended and have full Effect accordingly, any Act of Parliament, Law, Custom, or Usage to the contrary notwithstanding.

Provision for Extension of the Treaty to Newfoundland.

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GOVERNMENT OF BENGAL

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VICTORIÆ REGINÆ.

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CAP. IV.

An Act to amend the Act for limiting the Time of Service in the Army. [27th *February* 1855.]

WHEREAS by an Act passed in the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Thirty-seven, "for limiting the Time of Service in the "Army," it was enacted, that no Person should be enlisted to serve Her Majesty, or in the Forces of the *East India* Company, as a Soldier, for a longer Term than Ten Years in the Infantry or Twelve Years in the Cavalry or Artillery, or other Ordnance Corps, to be reckoned from the Day on which the Recruit should have been attested, if he should have stated himself to be then of the Age of Eighteen Years, or if not, then from the Day on which he would complete the Age of Eighteen Years, to be reckoned according to the Age stated in his Attestation: And it was thereby also enacted, that any Soldier at any Time during the last Six Months of the Term of limited Service for which he should have been first engaged, or after the Completion of such Term, might, if approved by his Commanding Officer or other competent military Authority as a fit Person to continue in Her Majesty's Service or in the Service of the *East India* Company as a Soldier, be re-engaged to serve for the further Term of Eleven Years in the Infantry and Twelve Years in the Cavalry or Artillery, or other Ordnance Corps; and that any

10 & 11 Vict. c. 37.

Soldier who should be ordered on Foreign Service, and who was within Three Years of the Expiration of his First Engagement, should be at liberty, with the Approbation of his Commanding Officer, to re-engage before he embarked for such Foreign Service for such Period as should complete a total Service of Twenty-one Years in the Infantry or Twenty-four Years in the Cavalry or Artillery: And whereas by an Act passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Seventy-three, "to "limit the Enlistment in the Artillery and other Ordnance Corps," it was enacted, that during the last Six Months of the Term of limited Service for which a Soldier should have first engaged to serve in the Artillery or other Ordnance Corps, or after the Completion of such Term, he might, if approved by his Commanding Officer or other competent military Authority as a fit Person to continue in Her Majesty's Service as a Soldier, be re-engaged to serve for the further Term of Nine Years: And whereas by reason of Directions contained in Schedules to the said first-recited Act, for filling up Blanks in the Forms of Questions to be put to Recruits on enlisting, it is apprehended that it may not be lawful to enlist Persons to serve as Soldiers for lesser Terms than the said Terms of Ten Years and Twelve Years respectively: And whereas it is expedient that Her Majesty should be enabled to permit Enlistment for such lesser Terms, and to authorize Soldiers to re-engage for any Terms within the Limits of Service prescribed by the said Acts: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

12 & 13 Vict. c. 73.

Power to Her Majesty, by Order in Council, for Three Years after passing of Act, to lessen Terms for Enlistment and Re-engagement of Soldiers.

I. For Three Years after the passing of this Act any Person may be enlisted to serve Her Majesty, or in the Forces of the *East India* Company, as a Soldier, for any such Term, not exceeding Ten Years in the Infantry or Twelve Years in the Cavalry or Artillery, or other Ordnance Corps (to be reckoned as provided in the said first-mentioned Act), as may be authorized by any Order or Orders of Her Majesty in Council in this Behalf; and any Soldier may, subject to such Approbation as in the said Acts mentioned, re-engage for such Term as may by such Order or Orders in Council be authorized; provided the Term for which he is so engaged, with the Term of his Service under his First Enlistment, do not exceed the Period of Twenty-one Years in the Infantry or Artillery, or other Ordnance Corps, or Twenty-four Years in the Cavalry; and the Forms of Questions on Enlistment in Schedule A. to the said first-mentioned Act, and the Form of Declaration in Schedule B. to such Act, may, when the Occasion

Occasion requires, be filled up with such Term or Number of Years as may be authorized by such Order or Orders, instead of the Term or Number of Years mentioned in the Directions contained in such Schedules.

II. The said Acts of the Tenth and Eleventh Years and Twelfth and Thirteenth Years of Her Majesty and this Act shall be read and construed together as One Act.

Recited Acts and this Act to be read as One.

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out of the Consolidated Fund.

the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 3,300,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

II. It shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Three millions three hundred thousand Pounds; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

The Clauses, &c. in recited Acts extended to this Act.

III. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 3,300,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Three millions three hundred thousand Pounds, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

VI. It

VI. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Monies raised by Bills to be applied to the Services voted by the Commons.

VIII. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

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VICTORIÆ REGINÆ.

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20,000,000*l.* out of the Consolidated Fund.

of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 20,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

II. It shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Twenty Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

The Clauses, &c. in recited Acts extended to this Act.

III. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 20,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. It shall and may be lawful for the Governor and Company of the Bank of *England* and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty Millions, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William*

William and Queen *Mary*, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

VI. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Monies raised by Bills to be applied to the Services voted by the Commons.

VIII. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

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VICTORIÆ REGINÆ.

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the Purpose of summing up the Evidence, and the Party on the other Side, or his Counsel, shall be allowed to open the Case, and also to sum up the Evidence, if any, and the Right to reply shall be the same as at present.

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CAP. VIII.

An Act for raising the Sum of Seventeen millions one hundred and eighty-three thousand Pounds by Exchequer Bills for the Service of the Year One thousand eight hundred and fifty-five.

[16th *March* 1855.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, at

Power to Treasury to raise 17,183,000*l.*

by Exchequer Bills in like Manner as is prescribed by 48 G. 3. c. 1.

at any Time or Times, to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Seventeen millions one hundred and eighty-three thousand Pounds, in like Manner as is prescribed in an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

4 & 5 W. 4. c. 15.

5 & 6 Vict. c. 66.

The Clauses, &c. in recited Acts extended to this Act.

II. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

The Treasury to issue and apply the Money raised.

III. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Bills how to be charged and paid.

IV. The Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be charged upon and shall be paid out of any Supplies to be granted in the next Session of Parliament.

Interest on Bills.

V. The Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Bank of *England* standing to the Credit of the Exchequer.

Bills charged on Supplies to be current in Payment of Public Revenue after Twelve Calendar Months from their Dates.

VI. All the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall, after Twelve Calendar Months from their respective Dates, be taken and shall pass and be current to all the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever already granted or payable, or which shall hereafter be granted or payable, to Her Majesty,

Exchequer Bills (£17,183,000).

Majesty, Her Heirs and Successors, and also at the Bank of *England* to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, upon any Account whatever.

Bank of England may advance 17,183,000*l.* on the Credit of Bills, notwithstanding 5 & 6 W. & M. c. 20.

VII. It shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Seventeen millions one hundred and eighty-three thousand Pounds; anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

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Short Title. II. In citing this Act in other Acts or legal Instruments it shall be sufficient to use the Expression "The Tea Duties Decline Suspension Act, 1855."

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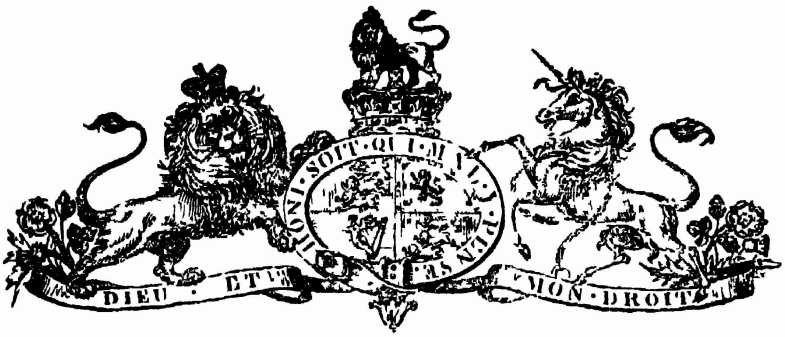

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

CAP. X.

An Act to enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons. [16th *March* 1855.]

WHEREAS under the Provisions of an Act of the Sixth Year of Queen *Anne*, Chapter Seven, and of an Act of the Twenty-second Year of King *George* the Third, Chapter Eighty-two, not more than Two of Her Majesty's Principal Secretaries of State are capable of sitting as Members of the House of Commons at the same Time, and by reason of the said Act of the Twenty-second Year of King *George* the Third, and of an Act of the Fifteenth Year of King *George* the Second, Chapter Twenty-two, Doubts are entertained whether more than Two of the Under Secretaries to the Principal Secretaries of State are capable of sitting as such Members: And whereas it would be for the Advantage of the Public Service that Three of such Principal Secretaries and Three of such Under Secretaries should be capable of sitting at the same Time in the House of Commons: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Three of Her Majesty's Principal Secretaries of State for the Time

6 Anne, c. 7.
22 G. 3. c. 82.
15 G. 2. c. 22.
Power to any Three of the Principal

Secretaries and Under Secretaries of State (House of Commons).

Secretaries and any Three of the Under Secretaries of State to sit in the House of Commons.

Time being, and any Three of the Under Secretaries for the Time being to Her Majesty's Principal Secretaries of State, may sit and vote as Members of the House of Commons, anything in the said Acts or in any other Act or Acts to the contrary notwithstanding; but not more than Three such Principal Secretaries and not more than Three such Under Secretaries shall sit as Members of the House of Commons at the same Time.

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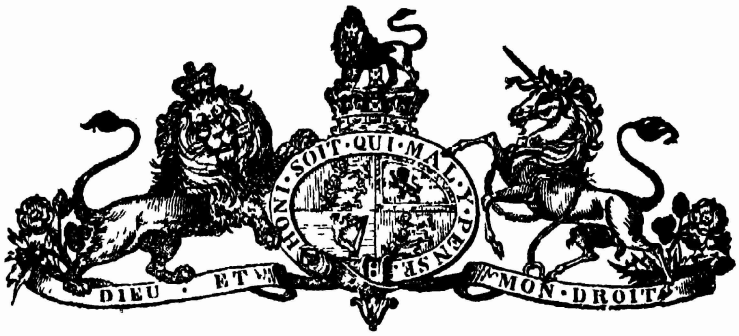

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Articles of War made by Her Majesty to be judicially taken notice of, and Copies printed by the Queen's Printer to be transmitted to Judges, &c.

I. It shall be lawful for Her Majesty to make Articles of War for the better Government of Her Majesty's Forces, which Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same, printed by the Queen's Printer, shall, as soon as may be after the same shall have been made and established by Her Majesty, be transmitted by Her Majesty's Secretary-at-War to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or the *British Isles*, shall by such Articles of War be subject to be transported as a Felon, or to suffer any Punishment extending to Life or Limb, except for Crimes which are by this Act expressly made liable to such Transportation or to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act.

Persons subject to this Act.

II. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, and to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and to the Officers and Soldiers belonging to the Forces of the *East India* Company while such Officers or Soldiers shall be in any Part of the United Kingdom, and to the Officers and Persons who are or shall be serving and hired to be employed in the Royal Artillery and Field Train, and to Master Gunners, and Gunners, and Conductors of Stores, and to all Officers and Persons who are or shall be serving in the Regiment of Royal Engineers and the Corps of Royal Sappers and Miners, and in the Corps of Royal Military Surveyors and Draftsmen, and to Persons in the Ordnance and Commissariat Departments, who are or shall be serving with any Part of Her Majesty's Forces at home or abroad, under the Command of any Officer having Commission from Her Majesty or from His late Majesty King *William* the Fourth,

Fourth, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Ordnance at any of Her Majesty's Ordnance Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been given by such Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect.

Act to extend to Jersey, Guernsey, &c.

III. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall fraudulently confess themselves to be Deserters, or who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Foreign Troops in this Country.

IV. All Officers and Soldiers of any Troops being mustered and in Pay, which shall be raised and serving in any of Her Majesty's Dominions abroad, or in Places in possession of or occupied by Her Majesty's Subjects under the Command of any Officer having any Commission immediately from Her Majesty, shall be subject to the Provisions of this Act and of Her Majesty's Articles of War, in like Manner as Her Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *England* or *Ireland*, although not allowed to serve therein, all the Provisions

Provisions of this Act in regard to billeting Soldiers shall apply to such Officers and Soldiers.

Militia and Yeomanry.

V. Nothing in this Act contained shall in anywise be construed to extend to any Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only in such Cases wherein, by any Act or Acts for regulating any of the said Forces or Corps, the Provisions contained in any Act for punishing Mutiny and Desertion shall be specifically made applicable to the said Corps.

Power to constitute Courts-martial.

VI. For the Purpose of bringing Offenders against this Act and the Articles of War to Justice, Her Majesty may from Time to Time, in like Manner as has been heretofore used, grant Commissions under the Royal Sign Manual for the holding Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and may grant Commissions or Warrants under the said Royal Sign Manual to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of Her Majesty's Forces, as well within the United Kingdom of *Great Britain* and *Ireland* and the *British Isles*, as in any of Her Majesty's Garrisons and Dominions or elsewhere beyond Seas, for convening Courts-martial, and for authorizing any Officer under their respective Commands to convene Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under the Command of any such last-mentioned Officer, whether the same shall have been committed before or after such Officer shall have taken upon him such Command; the Officer so authorized not being, however, below the Degree of a Field Officer, except in the Settlements on the Western Coast of *Africa*, where a Captain may be authorized to convene District or Garrison Courts-martial; and any Person subject to this Act who shall, in any Part of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions or elsewhere where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

General Courts-martial.

VII. A General Court-martial convened in *Saint Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, and the Settlements on the Coast of *China*, and *Prince of Wales Island*, *Singapore*, and *Malacca*, shall consist of not less than Five Commissioned Officers; if

if convened in *Jamaica*, the *Windward* and *Leeward* Islands, *British Guiana*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, or in any Part out of the Queen's Dominions, excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other Part of the Queen's Dominions, or in the *Ionian Islands* or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers; and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

VIII. A District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, *Saint Helena*, *Jamaica*, *Honduras*, *Newfoundland*, *New Zealand*, the *Australian* Colonies, the *Windward* and *Leeward* Islands, *British Guiana*, *Hong Kong*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in the Settlements on the Western Coast of *Africa*, where it may consist of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Soldier to such Punishments as shall accord with the Provisions of this Act: Provided always, that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation.

District of Garrison Courts-martial.

IX. A Regimental or Detachment Court-martial shall consist of not less than Five Officers, unless it is found to be impracticable to assemble that Number, when Three may be sufficient, and shall have Power to sentence any Soldier to Corporal Punishment, or to Imprisonment, and to Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Regimental and Detachment Courts-martial.

X. In Cases of Mutiny and gross Insubordination or other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship, not in Commission, the Offender may be tried by a Regimental or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award.

Courts-martial on Line of March or in Troop Ships.

XI. It shall be lawful for any Officer commanding any Detachment or Portion of Her Majesty's Troops which may at any Time

Courts martial in special Cases out of

the Queen's Dominions.

be serving out of Her Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries, by any Person serving with or belonging to Her Majesty's Armies, being under the immediate Command of any such Officer, to convene a Detachment General Court-martial, which shall consist of not less than Three Officers, for the Purpose of trying any such Person; and every such Court-martial shall have the same Powers in regard to Sentence upon Offenders as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Court-martial shall be executed until the General commanding the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried, convicted, and adjudged to suffer Punishment shall belong shall have approved and confirmed the same.

Mixed Courts-martial in case of Marines and East India Company.

XII. Where necessary or expedient, Officers of Her Majesty's Royal Marines, or Officers in the Service of the *East India* Company, or Officers of both such Services, may sit on Courts-martial together with Officers of Her Majesty's Land Forces, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or to the Marine Forces; and when the Person to be tried shall belong to the Land Forces, then the Proceedings of such Court shall be regulated, to all Intents and Purposes, as if the Court was composed of Officers of Her Majesty's Land Forces only, and the Provisions of this Act, and the Oaths hereby prescribed, shall be applicable to the Proceedings of such Court; but where the Person to be tried shall belong to Her Majesty's Royal Marines, then the Provisions of an Act passed in the present Session of Parliament, for the Regulation of Her Majesty's Royal Marine Forces while on shore, and the Oaths therein prescribed, shall be applicable; and where the Person to be tried shall be in the Service of the *East India* Company, the Provisions of an Act passed in the Twelfth and Thirteenth Years of Her present Majesty, to amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and the Oaths thereby prescribed, shall be applicable, notwithstanding any Officer, though in the actual Service of the said Company, may hold a Commission from Her Majesty or from His late Majesty King *William* the Fourth.

President of Court-martial.

XIII. The President of every Court-martial shall be appointed by the Authority convening such Court, and shall in no Case be the confirming Officer or the Officer whose Duty it has been to investigate the Charges on which the Prisoner is to be arraigned; nor in the Case of a General Court-martial under the Degree of a Field Officer, unless

unless a Field Officer cannot be had; nor in any Case whatever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Regimental or Detachment Court-martial holden on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had: Provided always, that in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, the Officer convening such Court may be the President thereof.

Proceedings at Trial.

XIV. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers; and if the Prisoner shall then object to the President, such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so as aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall have been made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate General or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

XV. All General and other Courts-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every

every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate General, or his Deputy, or the Person officiating as Judge Advocate, and in the Case of all other Courts-martial, by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or attending upon or returning from such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence or not produce the Documents under their Power or Control required to be produced by them, or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, or Sheriff Depute or Stewards Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or in Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions, in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness, after having been duly summoned or subpœnaed, had neglected to attend upon a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof.

Previous Convictions to be put in Evidence.

XVI. After a Prisoner has been found guilty of any Charge or Charges, the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment, so far as the Charge of which he was convicted, was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions

vicions by Courts-martial, duly confirmed, the Court-martial Book or the Regimental or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in such Books, or any of them, and which shall be signed by the Adjutant, or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Regiment or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein after provided to the Officer commanding a Regiment by the Clerk of any such Court or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof, duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Report of Proceedings of General and District Courts-martial.

XVII. Every Judge Advocate, or Person officiating as such at a General Court-martial, and the President of every District or Garrison Court-martial, where the Offender shall be a Non-commissioned Officer or Soldier belonging to Her Majesty's Land Forces, are required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Judge Advocate General in *London*, in whose Office they shall be carefully preserved; and

any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six Months if the Trial took place at *Gibraltar*, or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

No Second Trial, but Revision allowed.

XVIII. No Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court martial for the same Offence; and no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence be received by the Court on any Revision.

Crimes punishable with Death.

XIX. If any Person subject to this Act shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence or Licence of the General or Chief Commander; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's Service; or shall leave his Post before being regularly relieved; or shall be found sleeping on his Post; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his superior Military Officer, being in

in the Execution of his Office; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm or in any other of Her Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Soldier enlisted or in Pay in any Regiment, Troop, or Company, who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Regiment, Troop, or Company, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

XX. No Judgment of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein. Judgment of Death.

XXI. Whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to Penal Servitude, or to be transported as a Felon for Life, or for a certain Term of Years, not less than Fourteen, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions (the *Ionian Islands* excepted) for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude or to be transported as a Felon, either for Life or for a certain Term of Years, not less than Fourteen, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions (the *Ionian Islands* excepted), to the Officers commanding as aforesaid. Commutation of Death for Transportation.

XXII. Every Paymaster or other Commissioned Officer of Her Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Embezzlement punishable by Transportation.

any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to Her Majesty's Forces or for Her Majesty's Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to Penal Servitude or to be transported as a Felon for Life or for any certain Term of Years not less than Fourteen, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known; and every Commissioned Officer sentenced to Penal Servitude or to be transported as a Felon, when such Sentence shall be confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Execution of Sentences of Transportation in the United Kingdom.

XXIII. Whenever Her Majesty shall intend that any Sentence of Penal Servitude or of Transportation heretofore or hereafter passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude or to Transportation any Sentence of Death passed by any such Court, the Sentence, together with Her Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief Her Majesty's Forces in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of Her Majesty's Forces in *Great Britain* and *Ireland*, then by the Secretary-at-War or his Deputy, to any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Penal Servitude or Transportation of such Offender in conformity with such Notification,

Notification, and shall also do all such other Acts consequent upon such Notification as such Judge is authorized to do by any Act in force touching the Penal Servitude or Transportation of other Offenders; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience, or for interrupting the Execution of such Order, as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to Penal Servitude or to be transported shall be subject to every Provision made by Law and in force concerning Persons convicted of any Crime and under Sentence of Penal Servitude or of Transportation; and from the Time when such Order of Penal Servitude or of Transportation shall be made every Act in force touching the Escape of Felons, or their afterwards returning or their being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving or assisting in any Escape or intended Escape, or returning without Leave, of any such Offender; and the Judge who shall make any Order of Penal Servitude or of Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Penal Servitude or of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude or Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

XXIV. Whenever any Sentence of Penal Servitude or of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Penal Servitude or to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be, or in his Absence by the Adjutant General for the Time

In the Colonies.

 being,

being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or Transportation or intermediate Custody of such Offender, in like Manner as for the Penal Servitude or Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Penal Servitude or of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned, and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with Hard Labour, during the Term of his Penal Servitude or of his Transportation, by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Penal Servitude or of Transportation shall have been awarded by a General or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour, and Solitary Confinement not exceeding the Period herein-after prescribed.

Power to inflict Corporal Punishment.

XXV. Any Court-martial may sentence any Soldier to Corporal Punishment not extending to Life or Limb for disgraceful Conduct as herein-after mentioned, Misbehaviour, or Neglect of Duty; provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

XXVI. It shall be lawful for any General, District, or Garrison Court-martial, in addition to any Sentence of Corporal Punishment, to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement.

Power to commute Corporal Punishment.

XXVII. In all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial it shall be lawful for Her Majesty, or for the General or other Officer

Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Forty-two Days, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Twenty Days, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes; provided that such Commutation of Punishment to Solitary Confinement shall in no Case exceed the Period herein-after prescribed.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXVIII. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, or to Forfeiture of the Annuity and Medal which may have been granted for former meritorious Service, or of the Gratuity and Medal awarded for former good Conduct, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,—

In wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service:

In tampering with his Eyes with Intent thereby to render himself unfit for the Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXIX. Every Soldier who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Forfeiture of Pay when in Confinement under Sentence;

XXX. If any Non-commissioned Officer or Soldier, by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, or, being an Apprentice, by reason of his being allowed to serve out his Time with his Master, shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service as herein-after provided, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Soldier was enlisted or re-engaged, or for which his Term of Service may have been prolonged, and no Soldier shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in Arrest for Debt; and when any Soldier shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence; but upon rejoining Her Majesty's Service due

or during Absence on Commitment under a Charge, or in Arrest for Debt; or when Prisoner of War;

due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under or in some Manner aided the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay or a Proportion thereof, and to reckon Service during his Absence; and any Soldier who shall be convicted of Desertion, or of Absence without Leave, shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Soldier shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Soldier shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized to award, order that such Soldier shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, or with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Soldier shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Soldier who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and in pursuance of any such Order as aforesaid the Pay of the Soldier shall be accordingly forfeited: Provided always, that such Soldier shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid: Provided also, that any Soldier who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeiture: Provided also, that when any Sentence shall have been wholly remitted, and the Offence pardoned by competent Authority, the Soldier shall be entitled to receive his Pay for the Days he may have been in Confinement or Arrest previous to Trial, and until such Decision had been pronounced: Provided also, that it shall be lawful for Her Majesty's Secretary-at-War to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

or when convicted of Desertion or of Absence without Leave;

or when absent without Leave, not exceeding Five Days.

Forfeiture of Pay for Drunkenness on Duty.

XXXI. A General, District, or Garrison Court-martial may sentence any Soldier for being drunk on Duty under Arms, and any Court-martial may sentence any Soldier for being drunk when on any Duty not under Arms or for Duty or on Parade or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXII. Any General, Garrison, or District Court-martial before which any Soldier shall be convicted of habitual Drunkenness shall deprive such Soldier of such Portion of his Pay, for such Period not exceeding Two Years, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and every Regimental or Detachment Court-martial shall deprive a Soldier, convicted of a Charge of habitual Drunkenness, of such Portion of his additional or regular Pay for such Period not exceeding Six Months, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and in addition to such Deprivation of Pay, the Court may, if it shall think fit, sentence such Offender to any other Punishment which the Court may be competent to award: Provided always, that a Soldier so sentenced to the Forfeiture of Pay, who shall be quartered at or removed to a Station where Liquor forms Part of his Ration and is issued in Kind, shall be deprived of his Liquor in Kind instead of being deprived of One Penny of his daily Pay for so long a Time as he shall remain at such Station, and such Sentence of Forfeiture of Pay shall remain in force.

Stoppages.

XXXIII. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss or Damage occasioned by him in any of the Instances of disgraceful Conduct herein-before specified:

Any Loss or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss or Destruction of, or Damage or Injury to, his Horse, Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service in the Field or for general good Conduct which may have been granted him by Order of Her Majesty, or by Order of the *East India* Company, or any Loss or Destruction of,

of, or Damage or Injury to, the Arms, Horse, Clothing, Instruments, Accoutrements, or Regimental Necessaries of any Officer or Soldier, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss or Destruction of any Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing the same be made good, the Amount of any Loss, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his Messing and Washing, so much only of the Pay of the Soldier may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Discharged with Ignominy.

XXXIV. Whenever any Soldier shall have been convicted of any such disgraceful Conduct herein-before described, or of Desertion, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Soldier, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

Marking Deserters.

XXXV. On the first and on every subsequent Conviction of Desertion the Court-martial, after awarding such Punishment as it may think fit, may order the Offender to be marked on the Left Side, Two Inches below the Arm-pit, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Power of Imprisonment by different Kinds of Courts-martial.

XXXVI. A General, Garrison, or District Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Regimental

Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Soldier may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement; provided that when any Court-martial, whether General, Garrison, or District, or Regimental or Detachment, shall direct that the Imprisonment shall be solitary only, or when any Sentence of corporal Punishment shall have been commuted to such Imprisonment only, the Periods shall in no Case exceed Fourteen Days.

Imprisonment of Offenders already under Sentence for previous Offence.

XXXVII. Whenever Sentence shall be passed by a Court-martial on an Offender already imprisoned under Sentence of a Court-martial for any Offence of which he has been before convicted, it shall be lawful for the Court to award Imprisonment for the Offence for which he is under Trial, upon Conviction thereof, to commence at the Expiration of the Imprisonment to which such Offender shall have been previously sentenced; and where such Offender shall be already under Sentence, either of Imprisonment, of Penal Servitude, or of Transportation, the Court, if empowered to pass Sentence of Penal Servitude or of Transportation, may award such Sentence for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment, Penal Servitude, or Transportation to which such Offender shall have been previously sentenced, although the aggregate of the Terms of Imprisonment, Penal Servitude, or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Term and Place of Imprisonment.

XXXVIII. Save as herein-before specially provided, every Term of Penal Servitude, Transportation, or of Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall have been signed by the President; and the Place of Imprisonment under the Sentences of General Courts-martial shall be appointed by the Officer commanding the District, Garrison, Island, or Colony, and under the Sentence of any other Court-martial shall be appointed by the Officer confirming the Proceedings of such Court-martial, and in default of such Appointment then the Place of Imprisonment shall be appointed by the Officer commanding the Regiment or Corps to which the Offender belongs or is attached.

Military Prisons.

XXXIX. It shall be lawful for the Secretary-at-War to set apart any Buildings now erected or which may hereafter be erected,

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or any Part or Parts thereof, as Military Prisons, and to declare that any Building, or any Two or more separate and detached Buildings, shall be, and thenceforth such Building or Buildings shall be deemed and taken to be, a Military Prison; and every Military Prison, whether the same now exist or may hereafter be established, which shall be, or which, under the Provisions of any former Act of Parliament, have been, so as aforesaid set apart or declared, shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Military Prisons, belong to and may be exercised by the Secretary-at-War; and it shall be lawful for the Secretary-at-War from Time to Time to make, alter, and repeal Rules and Regulations for the Government and Superintendence of any such Military Prison, and of the Governor, Provost Marshal, Officers, and Servants thereof, and of Offenders confined therein; and it shall be lawful for the Secretary-at-War from Time to Time to appoint an Inspector General and Inspectors of Military Prisons, and a Governor, or Provost Marshal, and all other necessary Officers and Servants for any such Military Prison, and, as Occasion may arise, to remove the Governor or Provost Marshal, Officer or Servant of any such Military Prison; and the General or other Officer commanding any District or Foreign Station within which may be any such Military Prison, or such General or other Officer, and such other Person or Persons as the Secretary-at-War may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and the Secretary-at-War may authorize any General Officer commanding on a Foreign Station to appoint periodically Visitors to any Military Prison within his Command; and the Secretary-at-War shall transmit to the Visitor or Visitors of every Military Prison established by his Authority a Copy of the Rules and Regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced, within such Prison; and every Inspector, Visitor, and Governor of any such Military Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made by the Secretary-at-War, have and exercise in respect of such Prison, and of the Governors, Officers, and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Custody of Prisoners under Military Sentence in Common Gaols.

XL. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Period of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court and during the Time specified in the said Order, or until he be discharged or delivered over o Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Soldier for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops.

Proviso for Removal of Prisoners.

XLI. In the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions, it shall be lawful for the Officer who confirmed the Proceedings of the Court, or for the Officer commanding the District, Garrison, Island, or Colony, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and such Prisoner shall accordingly, on the Production of such Order, be discharged or be delivered over, as the Case may be: Provided also, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in Military Custody shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place.

XLII. The

Mutiny.

XLII. The Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Soldier imprisoned by the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Soldier, during the Period of his Imprisonment, Sixpence *per Diem*, which the Secretary-at-War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Their Subsistence in Common Gaols.

XLIII. Every Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to believe or to know, that any Person in his Custody for any Offence, Civil or Military, is a Soldier liable to serve Her Majesty on the Expiration of his Imprisonment, shall give, if in *Great Britain* to the Secretary-at-War, and if in *Ireland* to the General commanding Her Majesty's Forces in *Ireland*, One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice then the longest practicable Notice thereof.

Expiration of Imprisonment in Common Gaols.

XLIV. Musters shall be taken of every Regiment, Troop, or Company in Her Majesty's Service, twice at least in every Year, at such Times as shall be appointed; and no Soldier shall be absent from such Musters unless properly certified to be employed on some other Duty of the Regiment, or to be sick, or in Prison, or on Furlough; and every Officer who shall make any false or untrue Muster of Man or Horse, or shall wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof, or who shall directly or indirectly take or cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, or shall knowingly muster any Person by a wrong Name, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial, shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in Her Majesty's Service.

Musters, and Punishment for false Musters.

XLV. Every

Trials for Desertion after subsequent Re-enlistment.

XLV. Every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have unlawfully enlisted, although he may of right belong to another Corps and be a Deserter therefrom, and whether such Soldier shall be tried for deserting from the Corps to which he may of right belong, or for deserting from the Corps into which he may have unlawfully enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may at the Time be taking his Trial may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Apprehension of Deserters in the United Kingdom.

XLVI. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then it shall be lawful for any Officer or Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice living in or near such Place, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and if it shall appear by the Testimony of One or more Witnesses, taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence, or by the Knowledge of such Justice, or by Evidence sufficient to satisfy such Justice that there are reasonable Grounds for believing that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in civil Custody to the Head Quarters or Depôt of the Regiment to which he belongs, if stationed within Five Miles of the Place of Apprehension, or if such Head Quarters or Depôt shall not be stationed within Five Miles, then to the nearest or most convenient public Prison (other than a Military Prison set apart under the Authority of this Act) or Police Station legally provided as a Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended, or in which he was committed, or not; or if the Deserter shall have been apprehended by a Party of Soldiers of his own Regiment in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, specifying therein whether such Deserter was delivered to his Regiment or to the Party of his Regiment in order for his being taken

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to the Head Quarters or Depôt of his Regiment, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the Office of the said Secretary-at-War, and proceeded against according to Law, and such Justice shall also send to the Secretary-at-War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary-at-War shall transmit to such Justice an Order for the Payment to such Persons of such Sum not exceeding Forty Shillings as the Secretary-at-War shall be satisfied they are entitled to according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who, in the Absence of a Military Medical Officer, may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary-at-War, and transmit also to the Secretary-at-War a Copy of the Commitment, to the end that such Secretary-at-War may order Repayment of the same; and when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies the Justice shall forthwith cause him to be conveyed to some public Prison, if the Regiment to which he is suspected to belong shall not be in the Colony, or, if the Regiment be in the Colony, the Justice may, if within reasonable Distance, deliver him into Custody at the nearest Military Post, although the Regiment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the General or other Officer commanding in the Colony a Description Return in the Form prescribed, to the end that such Person may be removed by Order of such Officer, and proceeded against according to Law.

In the Colonies.

XLVII. Every Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary-at-War,

Temporary Custody of Deserters in Gaols.

 which

which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Person shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by Her Majesty's Regulations.

Desertion of Recruits.

XLVIII. Any Recruit who shall desert prior to joining the Regiment for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, be liable to be transferred to any Regiment or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that all Cavalry Recruits so committed for Desertion shall be transferred to Cavalry Regiments, and Infantry Recruits to Infantry Regiments; and that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty except the Forfeiture of their personal Bounty, reserving only for them that Part of the Bounty which is applicable to and required for the Provision of Necessaries.

Fraudulent Confession of Desertion.

XLIX. Any Soldier who, while serving in any of Her Majesty's Forces, or the Embodied Militia, or the Forces of the *East India* Company, shall to any Officer or Non-commissioned Officer fraudulently confess himself to be a Deserter, shall be liable to be tried by Court-martial, and any Person who shall voluntarily deliver himself up and confess himself to be a Deserter from Her Majesty's Forces, or the Embodied Militia, or the Forces of the *East India* Company, or who, upon being apprehended for any Offence, shall, in the Presence of the Justice, confess himself to be a Deserter as aforesaid, shall be deemed to have duly enlisted and to be a Soldier, and shall be liable to serve in any of Her Majesty's Forces, as Her Majesty shall think fit to appoint, whether such Person shall have been actually enlisted as a Soldier or not; or in case such Person shall not be a Deserter as aforesaid, he shall be liable to be taken before Two Justices of the Peace, and on Proof that any such Confession as aforesaid was false, shall by them be adjudged to be punished, if in *England* as a Rogue and Vagabond, and if in *Scotland* or *Ireland* by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Months, or be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh

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and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for amending and consolidating the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland* of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, or shall be deemed guilty, if in *Scotland*, of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, as the Case may be, shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Soldier by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, as the Case may be, and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished, in *England*, as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, or for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in any of Her Majesty's Forces, he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

Extension of Furlough in case of Sickness.

L. When there shall not be any Military Officer of Rank not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer

Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall by Letter immediately certify such Extension and the Cause thereof to the Commanding Officer of the Corps or Detachment to which such Non-commissioned Officer or Soldier belongs, if known, and if not then to the Agent of the Regiment, in order that the proper Sum may be remitted to such Non-commissioned Officer or Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that Behalf to the said Justice, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

No Person acquitted or convicted by the Civil Magistrate or by a Jury to be tried by Court-martial for the same Offence.

LI. No Person subject to this Act, having been acquitted or convicted of any Crime or Offence by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be again tried for the same Crime or Offence by a Court-martial, or punished for the same otherwise than by cashiering; and whenever any Officer or Soldier shall have been tried by any Court of ordinary Criminal Jurisdiction, the Clerk of such Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Regiment to which such Officer or Soldier shall belong, transmit to him a Certificate, containing the Substance and Effect only of the Indictment, omitting the formal Part, and containing also a Copy of the Entry of the Judgment of the Court thereon if such Officer or Soldier shall have been convicted, or of the Acquittal of such Officer or Soldier, and shall be allowed for such Certificate a Fee of Three Shillings.

Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards.

LII. Any Person enlisted into Her Majesty's Service as a Soldier, or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the Disembodied Militia, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment

Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service by any Writ, Summons, Warrant, Order, Judgment, Execution, or any Process whatsoever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left his Family or any Part thereof chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Soldier or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order on that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour, except in the Case of an Apprentice, or of an indentured Labourer, as herein-after described; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void, to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body; provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the

Soldiers not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, or to indentured Labourers, as herein-after prescribed.

Officers not liable to take Parish Apprentices.

LIII. No Officer of Her Majesty's Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish poor Child bound Apprentice to him.

Officers not to be Sheriffs or Mayors.

LIV. No Person who shall be commissioned and in Full Pay as an Officer shall be capable of being nominated or elected to be Sheriff of any County or other Place, or to be Mayor, Portreeve, Alderman, or shall be capable of holding any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland.*

Enlisting, and swearing of Recruits.

LV. Every Person who shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, an attested Soldier, or an Out-Pensioner of *Chelsea* Hospital authorized to enlist Recruits, shall be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist) the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money Notice of his having so enlisted be given to the Recruit in the Form prescribed in the Schedule to this Act annexed, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in Her Majesty's Land Service he shall, within Ninety-six Hours (any intervening *Sunday* not included), but not sooner than Twenty-four Hours after such enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before any Justice or other Magistrate residing in the Vicinity of the Place where such Person shall have enlisted, or before any Justice or other Magistrate acting for the Division, District, or Place where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, and in the Presence

Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the Fortieth and Forty-sixth Articles of the Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths; and the Fee for administering each Oath shall be One Shilling and no more; and the said Justice is hereby required to give under his Hand the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Justice, at the Request of the Officer or Non-commissioned Officer with whom he enlisted, to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

LVI. Any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings as Smart Money, together with the full Amount of any Pay which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted, as if he had given his Assent thereto before the said Justice: Provided always, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Ninety six Hours as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary-at-War and Inspecting Field Officer of the District, shall be paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; and no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that Account to be proceeded against as having deserted from Her Majesty's Service; and the

the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Offences connected with Enlistment.

LVII. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in Her Majesty's Service, or in the Service of the *East India* Company, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary-at-War, in order that in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall have enlisted into and been attested for Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall

shall have been enlisted, anything in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them upon being attested to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity, or to have designedly made any false Representation, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned, with Hard Labour, in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service, or into the Service of the *East India* Company, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished or prosecuted, tried and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed, taken by the Recruit on his Attestation, and the Certificate then signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to any Regiment in Her Majesty's Service, or to Her Majesty's Ordnance, Navy, or Marines, or to the Forces of the *East India* Company, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary-at-War by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, Ordnance, or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall, upon Conviction thereof before any One Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army, Ordnance, or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice in the United Kingdom, or before a Regimental or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Regular Forces, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary-at-War shall direct; or if enrolled in the Militia as a balloted Man or Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and such Person, whether he shall have been enrolled

enrolled as a Volunteer or as a balloted Man or Substitute, shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces into which he shall have so enlisted, or to the Navy into which he shall have entered: Provided always, that every such Person so enlisted shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, or if he had entered the Navy to the Rules and Regulations by which that Force is governed, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, or from the Navy, if he shall neglect or refuse to join and serve in such Corps, or in the Navy, as aforesaid.

Punishment of Officers offending against Laws regarding Enlistment.

LVIII. Every Military Officer who shall wilfully act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for Her Majesty's Service or for the Service of the *East India* Company shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in Her Majesty's Service.

Enlistment and Re-enlistment abroad.

LIX. And whereas it is expedient that Provision should be made for enlisting and attesting of Soldiers desirous of re-enlisting and others desirous of enlisting abroad: Be it therefore enacted, That it shall be lawful for Her Majesty, by any Warrant signed by the Secretary-at-War in that Behalf, to authorize the Governors of Colonies, and of the several Presidencies in *India*, to appoint any Person, not being a General Officer nor holding any Regimental Commission, to enlist or attest, or for any Justice of the Peace or Magistrate acting for the Place of such Re-enlistment or Enlistment, and not being a General Officer, nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as

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any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier; and every Infantry Soldier consenting to be transferred to the Cavalry or Artillery shall upon such Transfer become liable to serve the limited Period prescribed for the Cavalry or Artillery, as the Case may be, notwithstanding his original Engagement to serve in the Infantry for a shorter Period.

Enlistment of Negroes.

LX. All Negroes or Persons of Colour who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted into Her Majesty's Service, shall, while serving, be deemed to be Soldiers legally enlisted into Her Majesty's Service, and entitled to all the Privileges of natural-born Subjects; and all Negroes purchased by or on account of Her Majesty previous to the total Abolition of Slavery throughout the *British* Colonies, and serving in any of Her Majesty's Forces, and all Negroes who have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Army, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Soldiers in any of Her Majesty's Colonial Forces.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

LXI. Any Person duly bound as an Apprentice in *Great Britain* or *Ireland*, or as an indentured Labourer in any of Her Majesty's Colonies or Possessions abroad, who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice or indentured Labourer as aforesaid, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning of the before-recited Acts, if in *England* or in *Ireland*, or in the Colonies or Possessions aforesaid, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, or of his Indenture as a Labourer, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in any of Her Majesty's Regular Forces, or in the Forces of the *East India* Company, according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship, or of his Indenture as a Labourer, he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from Her Majesty's Forces.

LXII. No

Mutiny.

LXII. No Master shall be entitled to claim an Apprentice or an indentured Labourer as aforesaid who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, or shall be serving in the Embodied Militia, unless he shall, within One Calendar Month after such Apprentice or indentured Labourer shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed, and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service, or of any indentured Labourer in Her Majesty's Colonies or Possessions abroad, shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice or indentured Labourer may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any Master who shall give up the Indentures of his Apprentice or of his Labourer as aforesaid within One Month after the enlisting of such Apprentice or indentured Labourer shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice or an indentured Labourer.

Claims of Masters to Apprentices.

LXIII. No Apprentice or indentured Labourer as aforesaid claimed by his Master shall be taken from any Corps or Re-

Punishment of Apprentices enlisting.

cruiting Party but under a Warrant of a Justice residing near, and within whose Jurisdiction such Apprentice or indentured Labourer shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice or indentured Labourer; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender, in *Scotland*, may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice or indentured Labourer may deliver him to his Master.

Wages of Servants enlisting.

LXIV. It shall be lawful for the Justice before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and in case of Neglect or Refusal to pay the same within Four Days shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Removal of Doubts as to Attestation of Soldiers.

LXV. And whereas certain Soldiers who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Soldiers have been so sworn and attested were duly qualified to administer to such Soldiers the Oaths prescribed by the several Acts passed for the punishing Mutiny and Desertion, and for

for the better Payment of the Army and their Quarters: In every Case where any such Soldier, having been duly enlisted, shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed during the last Session of Parliament for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes and in like Manner as if he had been duly attested and sworn.

Authorized Deductions only to be made from the Pay of the Army.

LXVI. No Secretary-at-War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or their under Officers, shall receive any Fees or make any Deductions whatsoever, out of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and fifty-five, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by Her Majesty's Regulations, or by Her Majesty's Order signified by the Secretary-at-War; and every Paymaster or other Officer having received any Officer's or Soldier's Pay who shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, if he demand it, shall be discharged from any further Service; provided, as aforesaid, that it shall be lawful for Her Majesty's Secretary-at-War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty, or, in case of any Doubt as to the proper Issue of Pay, to withhold it from the Parties aforesaid until Her Majesty's Orders shall have been signified by the Secretary-at-War.

Suspending Operation of recited Acts.

LXVII. And whereas by Petition of Right in the Third Year of King *Charles* the First it is enacted and declared, that the People of the Land are not by the Laws to be burdened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two

Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Threepence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whosoever, should thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billeting whatsoever: And whereas by an Act passed in the Parliament of *Ireland* in the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, Section Eight, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor any Yeoman of the Guard or Battle-axes, nor any Officer commanding the said Yeomen, nor any Servant of any such Officer, should at any Time thereafter have received or be allowed any Quarters in any Part of *Ireland*, save only during such Time or Times as he or they should be on their March as in the same Act is before mentioned, or during such Time as he or they should be and remain in some Seaport Town or other Place in the Neighbourhood of a Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army, or any considerable Part thereof, should be commanded to march from One Part of *Ireland* to another: But forasmuch as there is and may be Occasion for the marching and quartering of Regiments, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, the said several Provisions of the said recited Acts shall be suspended and cease to be of any Force or Effect during the Continuance of this Act.

6 Anne, c. 14. s. 8. (I.)

Certain Requirements of 6 Anne, c. 14. (I.) as to Billeting in Ireland not now necessary.

LXVIII. And whereas by the Eleventh Section of the said Act of the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, it is provided and enacted, that no Civil Magistrate or Constable should be obliged to find Quarters for or give Billets to more or other Soldiers than those only whose true Christian and Surnames should be delivered to him in Writing under the Hand of the Officer desiring Quarters or Billets for such Soldiers at the Time such Quarters or Billets should be desired, and that all such Names should be written together and delivered in One Piece of Paper, signed as aforesaid, and that the Christian and Surnames of every Soldier to be quartered or billeted, together with the Name of the Person on whom he or they should be billeted or quartered, should be given in Writing by the Constable or Civil

Civil Officer billeting or quartering such Soldier, and be contained in the Billet given by such Civil Officer: And whereas it has been found inconvenient and difficult to comply with all the Requirements of the said Enactment: It shall not be necessary, so long as this Act shall continue in force, for any Officer, upon the Occasion of his requiring Quarters or Billets for any Soldiers in *Ireland*, to deliver to the Constable or other Person whose Duty it shall be to find or give the same any List of the Names of the Soldiers to be so quartered or billeted; and that it shall not be necessary for the Constable or other such Person as aforesaid to set forth in any Billet the Name of any Soldier to be billeted or quartered, but only to the Number of the Soldiers, or the Number of the Soldiers and Horses respectively, as the Case may require, to be billeted or quartered on the Person named in the Billet, and to whom the same shall be addressed.

How and where Troops may be billeted.

LXIX. It shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in Her Majesty's Service, and Out-Pensioners when assembled as a local Force by competent Authority, and Persons receiving Pay in Her Majesty's Army, and the Horses belonging to Her Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of Her Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in One House, except only in case of billeting Cavalry as specially provided); and they shall be received by the Occupiers of such Houses in which they are so allowed to be billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billeted in pursuance of this Act, the Men and their Horses shall be billeted in One and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and

in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice then to Two or more Justices within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of Her Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men and Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses, or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place, with another Man or Horse billeted in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any

any Routes or enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to those Houses; and it shall be lawful for Constables to billet Officers and Soldiers in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England;* and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh:* Provided that no Officer or Soldier shall be billeted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the Houses of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Storekeeper whose principal Dealing shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Exemptions from Billets.

LXX. The Officers and Soldiers of Her Majesty's Foot Guards shall be billeted within the City and Liberties of *Westminster* and Places adjacent, lying in the County of *Middlesex* (except the City of *London*) and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constable shall, on receipt of the Order for billeting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionally on the Houses subjected thereto by this Act; and the said Constables shall, at every General Sessions of the Peace to be holden for the said City and Liberties, Counties and Borough respectively, make and deliver to the Justices then in open Session assembled, upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive Officers and Soldiers, together

Billeting the Guards in and near Westminster.

together with the Names and Rank of all Officers and Soldiers billeted on each respectively, which Lists shall remain with the respective Clerks of the Peace, for the Inspection of all Persons, without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists, upon being paid Twopence *per* Sheet for the same, each Sheet to contain at the least One hundred and fifty Words.

Military Officers not to act as Justices in billeting.

LXXI. No Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billeting or appointing Quarters for any Soldier in the Regiment, Troop, or Company under the immediate Command of such Justice, but that all Warrants, Acts, or Things so appointed by such Justice for or concerning the same shall be void.

Allowance to Innkeepers.

LXXII. The Innholder or other Person on whom any Soldier is billeted in *England* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Soldiers may be billeted in *England*, except when on the March and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldiers with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Penny Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *England*, for Hay and Straw, shall be Ninepence *per Diem* for each Horse; and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billeted by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland;* and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billeted, the Sum of

of Fourpence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary-at-War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer.

Definition of Terms.

LXXIII. All the Powers and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed;* and all Powers and Provisions relating to the *British Isles* shall be construed to extend to *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, and all Isles thereto and to *England* and *Ireland* belonging; and all Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and Inspectors or other Officers of Police, and High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, and to all

Powers and Regulations as to Billets.

Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act in relation to billeting; and all Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billeting Soldiers in such Manner as has been heretofore customary.

Supply of Carriages.

LXXIV. For the regular Provision of Carriages for Her Majesty's Forces, and their Baggage, in their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from Her Majesty, or the General of Her Forces, or the Master General or Lieutenant General of Her Majesty's Ordnance, or other Person duly authorized in that Behalf, shall, on Production of such Order, or a Copy thereof certified by the Commanding Officer, to such Justices, by some Officer or Non-commissioned Officer of the Regiment so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Cases exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out once in every Year of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open

open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constable within his Jurisdiction to give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, as far as the same can be done.

Rates to be paid for Carriages, and Regulations relating thereto.

LXXV. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile any other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland*, for every Hundredweight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *England* such further Rates may be added, not exceeding a total Addition *per* Mile of Fourpence, Threepence, or Twopence, to the respective Rates of One Shilling, Ninepence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts, or to the Recorder of any Municipal City, Borough, or Town, Corporate or not Corporate; and the Order of such Justices or Recorder at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary-at-War within Three Days after the making thereof; and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the proper Sums to the Owners

Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in the Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance to Her Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England;* provided that a Cart with One or more Horses for which the Furnisher shall receive Ninepence a Mile shall be required to carry Fifteen Hundredweight at the least; and no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses and Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Soldiers from *Dublin* at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army on any Pretence whatsoever.

Supply of Carriages in Cases of Emergency.

LXXVI. It shall be lawful for Her Majesty, or the Lord Lieutenant or Chief Governors of *Ireland* by Her or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary-at-War, or if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding Her Majesty's Forces in any District or Place, or to the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand

Hand reciting such Order of Her Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages, kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, or by any Officer of the Commissariat or Ordnance Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same.

Justices empowered to reimburse Constables for Sums expended by them.

LXXVII. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of the Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Routes in Ireland.

LXXVIII. It shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency, for the marching of any of Her Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Tolls.

LXXIX. All Her Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses and Baggage, (but not when passing in any hired or private Vehicle,) and all Recruits, marching by Route, and all Prisoners under Military Escort, and all enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Ferries.

LXXX. When any Soldiers on Service have Occasion in their March by Route to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in all such Cases pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

LXXXI. Every Soldier entitled to his Discharge shall, if then serving abroad, be sent, if he shall so require it, to *Great Britain* or *Ireland* free of Expense, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted, or at which he shall at the Time of his Discharge decide

decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment.

Notification to Parishes of good or bad Conduct of Soldiers.

LXXXII. The Churchwardens of every Parish in *England* and *Ireland*, and the Constables or other Officers of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary-at-War of the Names of any Soldiers belonging to the said Parish who have, for meritorious Conduct in the Army, received Her Majesty's special Approbation, or who, in consequence of Misconduct, have been dismissed Her Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of the said Notification.

Ordinary Course of Criminal Justice not to be interfered with. Punishment of Officers obstructing Civil Justice.

LXXXIII. Nothing in this Act shall be construed to extend to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law, when accused of Felony or of Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and if any Commanding Officer shall neglect or refuse, on Application being made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier under his Command, or shall wilfully obstruct, neglect, or refuse to assist the Officers of Justice in apprehending any Officer or Soldier under his Command, so accused as aforesaid, such Officer shall, upon Conviction thereof in any of Her Majesty's Superior Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any Civil or Military Office or Employment in the United Kingdom of *Great Britain* and *Ireland*, or in Her Majesty's Service; and a Certificate thereof containing the Substance and Effect of the Indictment only, omitting the formal Part, with the Copy of the Entry of the Judgment of the Court thereon, shall be transmitted to the Judge Advocate General in *London*.

Penalty for Disobedience by Agents.

LXXXIV. For enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents for the several Corps, the said Agents are hereby required to observe such Orders as shall from Time to Time be given by Her Majesty under Her Sign Manual, or by the Secretary-at-War, or by Her Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Commissioners of Her Majesty's Treasury; and if any Person, being or having been an Agent, shall refuse or neglect to comply with such Orders

Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier after the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds, and if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter, or, if he shall have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

Penalty on trafficking in Commissions.

LXXXV. Every Person, not being an authorized Army Agent, who shall negotiate or act as Agent for and in relation to the Purchase, Sale, or Exchange of any Commission in Her Majesty's Forces, shall forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized or not as an Army Agent, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or shall negotiate or receive, for any Purpose whatsoever, any Money or Consideration where no Price is allowed by Her Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds, and Treble the Value of the Consideration where the Commission is not allowed to be sold, or Treble the Excess of such Consideration beyond the regular Price.

Penalty for procuring false Musters.

LXXXVI. Every Person, not having any Military Commission, who shall give or procure to be given any untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or who shall directly or indirectly cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall falsely be mustered, or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Oath made by Two Witnesses before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged.

Penalty on unlawful recruiting.

LXXXVII. All the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or *East India* Company's Service, or shall open or keep any House, Place of Rendezvous or Office, or receive any Person therein under such

such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Directors of the *East India* Company, (as the Case may be,) shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty for inducing Soldiers to desert.

LXXXVIII. Any Person who shall in any Part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure any Soldier to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Soldier to desert, and any Person who, knowing that any Soldier is about to desert, shall aid or assist him in deserting, or, knowing any Soldier to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof, be liable to be punished by Fine or Imprisonment, or both, as the Court before which such Conviction shall take place may adjudge.

Penalty for forcible Entry in Pursuit of Deserters.

LXXXIX. Any Officer or Soldier who shall forcibly enter into or break open any Dwelling House or Outhouse, or shall give any Order under which any Dwelling House or Outhouse shall be forcibly entered into or broken open, without a Warrant from One or more Justices of the Peace, shall, on Conviction thereof before Two Justices of the Peace, forfeit a Sum not exceeding Twenty Pounds.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

XC. If any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act any Arms, Tools, or Instruments, or any Mask or other Disguise, to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be transported beyond the Seas for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to Imprisonment, with or without Hard Labour, for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison, to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner,

 without

without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without Hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without Hard Labour, for any Time not exceeding One Calendar Month, or, if the Offender be a Soldier already under Sentence of Imprisonment, he shall be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, for any Time not exceeding Six Calendar Months, or upon Conviction thereof by a single Visitor for any Time not exceeding Seventy-two Hours, in addition to so much of the Time for which he was originally sentenced as may then be unexpired; or if such Soldier shall, within Forty-eight Hours of the Expiration of his Sentence, be guilty of any Offence against the Rules of the Prison, he may, on Conviction thereof by a single Visitor, be imprisoned, either with or without Hard Labour or Solitary Confinement, for a Period not exceeding Seventy-two Hours in addition to his original Sentences; and all the Provisions of any Act or Acts of Parliament for the Regulation or better ordering of Gaols, Houses of Correction, or Prisons in *England* and *Wales* shall be deemed to apply to all Military Prisons, so far as any Provision relates to such Offences; and it shall be lawful for the Governor, Provost Marshal, Officer, or Servant of any Military Prison to use and exercise all the Powers and Authorities given by any such Act to the Gaoler, Keeper, or Turnkey of any Prison, or to his or their Assistants, to apprehend or to cause Offenders to be apprehended, in order to their being taken before a Justice or Justices of the Peace; and all the Powers and Authorities given by such Act to any Justice or Justices of the Peace to convict Offenders in any of the above Cases, together with the Forms of Convictions contained in any such Act, shall be applicable to the like Offences when committed in respect of Military Prisons; and all the Provisions contained in any such Act relating to Suits and Actions prosecuted against any Person for anything done in pursuance of such Act shall be deemed to apply to all Suits and Actions prosecuted against any Person acting in pursuance of such Act in respect of Military Prisons.

Certain Provisions of Gaol Acts to apply to Military Prisons.

Penalty on Keepers of Prisons for

XCI. Any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place

Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Military Offender in the Manner herein-before prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

refusing to confine, &c. Military Offenders.

XCII. Any Person who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, or shall be employed by any Soldier, knowing him to be such, to sell any Arms, Ammunition, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to Her Majesty's Service, or who shall have in his or her Possession or Keeping any such Arms, Ammunition, Clothes, Furniture, Provisions, Spirits, Articles, Necessaries, or Forage as aforesaid, and shall not give a satisfactory Account how he or she came by the same, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction of the former Offence; and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; and if upon Search any such Property shall be found, the same shall and may be seized by the

Penalty on purchasing Soldiers Necessaries, Stores, &c.

the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law: Provided always, that it shall be lawful for the Legislature of each or of any of Her Majesty's Colonies, on the Recommendation of the Officer for the Time being administering the Government of any such Colony, but not otherwise, to make Provision by Law for reducing such pecuniary Penalty, if not exceeding Twenty Pounds, to such Amount as may to any such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: Provided also, that it shall be competent to Her Majesty, or to the Person administering the Government of any such Colony on Her Majesty's Behalf, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer as aforesaid in respect of any other Law made or enacted by any such Colonial Legislature.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

XCIII. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officers or Soldiers, in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer

Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Twelve Pounds of Hay and Six Pounds of Straw *per* Diem for each Horse; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; or if any Toll Collector shall demand and receive Toll from any of Her Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Undress, or for their Horses, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or from any Enrolled Pensioners in Uniform, when called out for Training or in aid of the Civil Power, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage or returning therefrom, every such Constable, Victualler, Toll Keeper, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Soldier, or a Recruit, with the view of fraudulently obtaining a Billet, or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Penalties upon the Military so offending.

XCIV. If any Military Officer shall take upon himself to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables, or other Civil Officers, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do anything contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken to be thereupon cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided that a Certificate thereof shall be transmitted by One of the said Justices to the Judge Advocate in *London*, who is hereby required to certify the same to

the Commander-in-Chief and Secretary-at-War, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid; and if any Military Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Soldiers, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier, in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day, if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in the Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, such Officer shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on killing Game.

XCV. For the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish in the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon the Oath of One or more credible Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Form of Actions at Law.

XCVI. Any Action which shall be brought against any Person for anything to be done in pursuance of this Act shall be brought within Six Months, and it shall be lawful for every such Person to plead thereunto the General Issue of Not Guilty, and to give all special Matter in Evidence to the Jury which shall try the Issue; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become nonsuited, or suffer any Discontinuance thereof, or if in *Scotland* such Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the said Matter

Matter shall be tried shall allow unto the Defendant Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants; and every Action against any Person for anything to be done in pursuance of this Act, or against any Member or Minister of a Court-martial in respect of any Sentence of such Court, or of anything done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster* or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever.

Recovery of Penalties.

XCVII. All Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom, by One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within* England *and* Wales, *with respect to Summary Convictions and Orders;* provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied, in *Scotland* and in *Ireland*, for the Recovery of all such Penalties and Forfeitures, as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Parts of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

XCVII. One

Appropriation of Penalties.

XCVIII. One Moiety of every Penalty, not including any Treble Value of any Articles adjudged or recovered under the Provisions of this Act, shall go to the Person who shall inform or sue for the same, and the Remainder of the Penalty, together with the Treble Value of any Articles, or, where the Offence shall be proved by the Person who shall inform, the whole of the Penalty, shall be paid to the General Agent for the Recruiting Service in *London*, to be at the Disposal of the Secretary-at-War, anything in an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the Secretary-at-War.

5 & 6 W. 4. c. 76.

Mode of recording a Soldier's Settlement.

XCIX. Any Justice in the United Kingdom within whose Jurisdiction any Soldier in the Regular Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required; provided also, that when no such Examination shall have been required, the Statement made on Oath by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Licences of Canteens.

C. When any Person shall hold any Canteen under proper Authority of the Board of Ordnance, it shall be lawful for any Two Justices within their respective Jurisdictions to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to Time of Year or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise,

Excise, or their proper Officers, within their respective Districts, shall also grant such Licences as aforesaid; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

CI. All Muster Rolls and Pay Lists which are required to be verified by Declaration shall be so verified before and attested by any Justice without Fee or Reward to himself or to his Clerk. **Attestation of Accounts.**

CII. All Commissaries upon making up their Accounts, and also upon returning from any Foreign Service, shall make the Declaration described in the Schedule to this Act annexed; which Declaration, if made in any Part of the United Kingdom, shall be made before some Justice, and if made on Foreign Service, before the Officer commanding in chief, or the Second in Command, or the Quartermaster or Deputy Quartermaster General or any Assistant Quartermaster General of the Army to which he shall be attached, who shall respectively have Power to administer and receive the same. **Commissaries to attest their Accounts.**

CIII. All Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or Magistrate acting as such; and any Person taking a false Oath or Declaration in any Case wherein an Oath or Declaration is required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, or of making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws in force any Persons convicted of wilful and corrupt Perjury are subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury shall be cashiered, and every Soldier or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court. **Administration of Oaths.** **Perjury.**

CIV. All Crimes and Offences which have been committed against any former Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be tried and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force, and all Proceedings of Courts-martial convened and held under any such Warrant shall be continued, **Offences against former Mutiny Acts and Articles of War.**

notwithstanding the Expiration of such Act: Provided always, that no Person shall be liable to be tried or punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Duration of this Act.

CV. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-five inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and fifty-six; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-five inclusive until the First Day of *May* One thousand eight hundred and fifty-six; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and fifty-five inclusive until the First Day of *August* One thousand eight hundred and fifty-six; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and fifty-five inclusive to the First Day of *September* One thousand eight hundred and fifty-six; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and fifty-six inclusive until the First Day of *January* One thousand eight hundred and fifty-seven; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and fifty-seven inclusive until the First Day of *February* One thousand eight hundred and fifty-eight: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHE-

SCHEDULES referred to by the foregoing Act.

Form of Oaths to be taken by Members of Courts-martial.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice according to the Rules and Articles for the better Government of Her Majesty's Forces, and according to an Act now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in due Course of Law. So help me GOD.

Form of Oath of a Judge Advocate.

I do swear, That I will not, upon any account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved. So help me GOD.

Notice to be given to a Recruit, or left at his Place of Abode, or at the Place at which he stated that it was his Intention to sleep, agreeably to the Provisions of the Mutiny Act, within Forty-eight, but not sooner than Twenty-four, Hours after his Enlistment, the Hours of Sunday not being counted.

Date _____ 185 .

you enlisted with

at o'Clock* on the Day of

for the Regiment and if you do not come

forward on or before o'Clock* on the

* A.M. or P.M., as the Case may be.

for

for the Purpose of being taken before a Magistrate, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be legally adjudged to be a Soldier without Attestation, and will be proceeded against as a Deserter.

Signature of the Officer or Non-commissioned Officer commanding the Party. } _____

Name of the Recruit _____

Residing at _____

QUESTIONS to be put separately by the JUSTICE to a RECRUIT ON ENLISTING.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia, or to the Naval Coast Volunteers?

13. Do

Mutiny.

13. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to forfeit One Penny a Day of his Pay for Eighteen Months if attested, and to Fourteen Days Imprisonment if he is not attested, and if he belong to the Naval Coast Volunteers he is liable under the Act 16 and 17 Victoria, c. 73. to Imprisonment for Six Months, and his Enlistment will be null and void.

Enlisting for Service in Her Majesty's Colonies.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Colony of for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years* (*as the Case may be*)], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

Enlisting for either Her Majesty's or the East India Company's Service.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Army or in the Forces of the East India Company, according as Her Majesty shall think fit to order, for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years* (*as the Case may be*)], provided your Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

Enlisting for the East India Company's Service.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve the East India Company* for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided the said Company should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand,

_____ *Signature of Recruit.*

_____ *Witness present.*

Sworn before me at this Day of One thousand eight hundred and at o'Clock.

Signature of Justice _____

If enlisting for either Her Majesty's or the East India Company's Service, the following Addition is to be made to the foregoing Oath:

And that if Her Majesty, Her Heirs or Successors, shall please to appoint me to serve in the Forces of the East India Company, then I swear that I will also be true to the said Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

* The Blank to be filled up with the Words Infantry or Artillery, as the Case may be.

If

If enlisting for the East India Company's Service, the following is to be added to the Oath:

And that I also will be true to the said Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

CERTIFICATE to be given by the JUSTICE.

} I One of Her Majesty's
to wit. } Justices of the Peace of do hereby certify, That in my Presence all the foregoing Questions were put to ; that the Answers written opposite to them are those which he gave to me; and that the Fortieth and Forty-sixth Articles of the Articles of War were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; that he was not attested until Twenty-four Hours had elapsed after he received Enlisting Money; that the Place where he swears that he enlisted is in the Vicinity of my Residence, or within the Division or District or Place for which I act; that I am not an Officer of the Army; and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of Justice.

DECLARATION to be made by a SOLDIER renewing his Service.

I Number do declare, That I am at present (*or* was, *as the Case may be,*) in Captain Company in the Regiment; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, [*or* in the Forces of the East India Company, *as the Case may be,*] for a further Term of Years [*to be filled up with Eleven Years in the Infantry, and Twelve in the Cavalry or Artillery or other Ordnance Corps, and, in the Case of a Soldier about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Infantry or Twenty-four in the Cavalry or Artillery or other Ordnance Corps,*] provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me_____

_____ *Signature of Soldier.*

_____ *Signature of Witness.*

FORM

FORM of OATH to be taken by a MASTER whose APPRENTICE has absconded.

I of do make Oath, That I am by Trade a and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and .

Sworn before me at this Day of One thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an APPRENTICE.

to wit. } I of One of Her Majesty's Justices of the Peace certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

FORM of OATH to be taken by a MASTER whose indentured LABOURER in any of Her Majesty's Colonies or Possessions has absconded.

I of do make Oath, That was bound to me to serve as an indentured Labourer by Indenture dated the Day of for the Term of Years, and that the said did on or about the Day of abscond and quit my Service without my Consent.

Witness, *&c.* [*as for Apprentice.*]

FORM

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an indentured LABOURER.

to wit. } I of One of Her Majesty's Justices of the Peace certify, That of came before me at the Day of and made Oath that was bound to serve as an indentured Labourer to him by Indenture dated the Day of for the Term of Years, and that the said indentured Labourer did on or about the Day of abscond and quit the Service of the said without his Consent.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S ACCOUNTS.

I do solemnly and sincerely declare, That I have not applied any Monies or Stores or Supplies under my Care or Distribution to my own Use, or to the private Use of any other Person by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than Public Purposes, according to the Duty of my Office; and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Fifth and Sixth Years of the Reign of His Majesty King William the Fourth, Chapter 62, for the Abolition of unnecessary Oaths, and for substituting Declarations in lieu thereof.

Declared before me by the within-named } this Day of }

Justice of the Peace of

or, *Commander in Chief*, or *Second in Command, et cætera. the Army serving in et cætera* [*as the Case may be*].

Mutiny.

No.

DESCRIPTION RETURN of committed to Confinement
at on the Day of as a Deserter
from the Regiment of

Age - - - - -	
Height - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - - -	
Marks - - - -	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place - - - -	
* Name and Occupation and Address of the Person by whom apprehended	
* Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

——————*Signature and Address of Magistrate.*
——————*Signature of Prisoner.*
——————*Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——————*Signature of Military Medical Officer, or of* ‖ *Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

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ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

***

of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lord High Admiral, &c. may make Articles for the Punishment of Mutiny, Desertion, &c.

I. That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make, ordain, and establish Rules and Articles of War, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of Her Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of Her Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland* or the *British Isles* shall by such Articles be subject to be transported as a Felon or to suffer any Punishment extending to Life or Limb, except for Crimes which are by this Act expressly made liable to such Transportation or to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act.

Offences against former Mutiny Acts and Articles of War.

II. All Crimes and Offences committed against any former Act made for the Regulation of the Royal Marine Forces while on shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be tried, inquired of, and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act; and all Proceed-

ings

ings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape and come or be brought into this Realm before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Limitation as to Time.

III. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for Trial and Punishment of Officers and Marines who shall be charged with Mutiny and Desertion or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall fraudulently confess themselves to be Deserters, or who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Marine or Deserter, or who shall cause the Colour of any such Clothes to be changed; and also to the Provisions for exempting Marines from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Act to extend to Jersey, &c.

IV. Nothing in this Act shall be construed to extend to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law when accused of Felony, or when accused of any Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine, or who shall wilfully obstruct, neglect, or refuse

The ordinary Course of Law not to be interfered with.

refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in Her Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty.

No Person tried by Civil Power to be punished by Court-martial for same Offence except by cashiering.

V. No Person who shall have been tried before any of the ordinary Courts of Law for any Crime cognizable in such Courts shall be liable to be punished for the same by any Court-martial otherwise than by cashiering; and whenever any Officer or Marine shall have been tried before a Court of ordinary Criminal Jurisdiction, the Clerk of the Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Division to which such Officer or Marine belongs, transmit to him a Certificate containing the Substance and Effect only, omitting the formal Part, of the Indictment, Conviction, and Entry of Judgment thereon or Acquittal of such Officer or Marine, and shall be allowed for such Certificate a Fee of Three Shillings.

Marines to be subject to the Discipline of the Navy while on board Ship.

VI. All of Her Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of any of Her Majesty's Ships or Vessels in Commission, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of Her Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy, and shall and may be proceeded against and punished for Offences committed by them whilst so borne, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished; except when and so long as any Marine Officers or Marines shall be landed from any of Her Majesty's Ships, and be employed in Military Operations on shore, and when on such Occasions the senior Naval Officer present shall deem it expedient to issue an Order declaring that such Marine Officers and Marines shall during such Employment on shore be subject to the Regulations of this Act, in which Cases, and while such Order shall remain in force, they shall be subject to such Regulations, and be tried and punished under this Act accordingly, for any Offences to be committed by them while so on shore: Provided always, that if any Marine Officer or Marine so borne on the Books of any of Her Majesty's Ships or otherwise shall commit any Offence for which he shall not be amenable to a Naval Court-martial, he may be tried and punished for the same in the same Manner as other Marines may

may be tried and punished for the like Offences under the Authority of this Act.

VII. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and elsewhere out of the same, in like Manner as has been heretofore used, and for bringing Offenders against this Act and the Articles of War to Justice, and to erect and constitute Courts-martial, as well within the said United Kingdom and the *British Isles* as in any of Her Majesty's Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of Her Majesty's Royal Marine Forces, as well within the said United Kingdom as Her Majesty's other Dominions, and in any Foreign Parts out of the same Dominions, for convening, as well as for authorizing any Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command, the Officer so authorized not being however below the Degree of a Field Officer, except in the Settlements on the Western Coast of *Africa*, where a Captain may be authorized to convene District or Garrison Courts-martial; and any Person subject to this Act who shall, in any of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions, or other Place where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Lord High Admiral, &c. may grant Commissions for holding General Courts-martial, &c.

VIII. A General Court-martial convened in *St. Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, *Prince of Wales Island*, *Singapore*, and *Malacca*, and the Settlements on the Coast of *China*, shall consist of not less than Five Commissioned Officers; if convened in *Jamaica*, the *Windward* and *Leeward* Islands, *British Guiana*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, or in any Part out of the Queen's Dominions, excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other

General Courts-martial.

Part of the Queen's Dominions, or in the *Ionian Islands*, or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers; and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

District or Garrison Courts-martial.

IX. A District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, *Saint Helena*, *Jamaica*, *Honduras*, *Newfoundland*, *New Zealand*, the *Australian* Colonies, the *Windward* and *Leeward* Islands, *British Guiana*, *Hong Kong*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in the Settlements on the Western Coast of *Africa*, where it may consist of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Marine to such Punishments as shall accord with the Provisions of this Act; provided that the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation.

Divisional and Detachment Courts-martial.

X. A Divisional or Detachment Court-martial shall consist of not less than Five Officers, unless it be found to be impracticable to assemble that Number, when Three shall be sufficient, and shall have Power to sentence any Marine to Corporal Punishment, or to Imprisonment, and Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Courts-martial on Line of March or in Transport Ships, &c.

XI. In Cases of Mutiny and gross Insubordination or of other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, or Merchant Vessel, the Offender may be tried by a Divisional or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in immediate Command, provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award.

Courts-martial in special Cases out of the Queen's Dominions.

XII. It shall be lawful for any Officer commanding any Detachment or Portion of Her Majesty's Royal Marine Forces which may at any Time be serving out of Her Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries by any Person under the immediate Command of

of any such Officer, to summon and cause to be assembled a Detachment General Court-martial, which shall consist of not less than Three Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Detachment Court-martial shall be executed until the Officer commanding the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried shall belong shall have approved and confirmed the same.

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

XIII. When necessary or expedient, Officers of Her Majesty's Land Forces and of the Royal Marines may sit in conjunction on Courts-martial, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or Marine Forces; and when the Person to be tried shall belong to the Royal Marines, then the Proceedings of such Court-martial shall be regulated according to the Provisions of this Act; but where the Person to be tried shall belong to Her Majesty's Land Forces, then the Provisions of the Act passed in the present Session of Parliament for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and the Oaths therein prescribed, shall be applicable.

If no Superior Officer of Land Forces is present in Command of a District, &c. an Officer of Marines may convene a Court-martial.

XIV. Provided there be no Superior Officer of Her Majesty's Land Forces present in Command of a District, Garrison, Station, or Place where Marines may be serving, it shall be lawful for any Officer of the Royal Marine Corps, of the Degree of a Field Officer, and holding a Commission from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for that Purpose, but not otherwise, to convene or assemble a District or Garrison Court-martial, to be composed as afore stated, and for such Court to proceed to try any Marine or Marines below the Rank of Commissioned Officer, for any of the Offences cognizable by a District or Garrison Court-martial; but the Sentence so awarded by any such Court shall not be carried into effect until the Senior Officer of the Royal Marines in the District, Garrison, Station, or Place, not being a Member of the Court, shall have confirmed the same: Provided always, that if there be any such Superior Officer of Her Majesty's Land Forces present in Command of the District, Garrison, Station, or Place where Marines may be, in such Case it shall be lawful for him to convene or assemble such District or Garrison Court-martial for the Trial of any Marine or Marines below the

the Rank of a Commissioned Officer, and for such Court-martial to try any such Marine or Marines in conformity with the Provisions of this Act and the Articles of War to be made in pursuance hereof; but the Sentence which may be awarded by any such Court which may be convened or assembled by any such Superior Officer shall not be carried into effect until such Superior Officer shall have confirmed the same.

President of Court-martial.

XV. The President of every Court-martial shall be appointed by the Authority convening such Courts, and shall in no Case be the confirming Officer, or the Officer whose Duty it has been to investigate the Charges on which the Prisoner is to be arraigned, nor, in the Case of a General Court-martial, under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Divisional or Detachment Court-martial holden on the Line of March, or on board a Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had: Provided always, that in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions the Officer convening such Court may be the President thereof.

Proceedings at Trial.

XVI. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers, and if the Prisoner shall then object to the President, such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall be made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members,

Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Examples, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

XVII. All General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate, or the Person officiating as such, and in the Case of all other Courts-martial by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge by any Affidavit in a summary Way that such Witness was arrested in going to, attending upon, or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or not produce the Documents being under their Power or Control required to be produced by them, or, being sworn, shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, or Sheriff Depute or Stewarts Depute or their respective Substitutes within their several Shires and Stewartries, in *Scotland*, or in the Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness had, after being duly summoned or subpœnaed, neglected to attend on a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an

Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof.

Previous Convictions to be put in Evidence.

XVIII. After a Prisoner has been found guilty of any Charge or Charges the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial; and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment, so far as the Charge of which he was convicted, was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book or the Divisional or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in such Books or any of them, and which shall be signed by the Adjutant or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Division or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such

such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Report of Proceedings of Courts-martial.

XIX. Every Judge Advocate, or Person officiating as such, at a General Court-martial, and the President of every District or Garrison Court-martial, are required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not; at any Time not sooner than Six Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

No Second Trial, but Revision allowed.

XX. No Officer or Soldier being acquitted or convicted of any Offence shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence be received by the Court on any Revision.

Crimes punishable with Death.

XXI. If any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subjected to, or not be liable to or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof

to

to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before being regularly relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert Her Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Marine enlisted or in Pay in any Division or Company who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Division or Company, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

Judgment of Death.

XXII. No Judgment of Death by Court-martial shall pass unless Two Thirds at least of the Officers present, being Members of the Court, shall concur therein.

Commutation of Death for Transportation.

XXIII. Whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to Penal Servitude or to be transported as a Felon for Life or for a certain Term of Years not less than Fourteen Years, or may sentence him to general Service as a Marine or as a Soldier in any Corps and in any Country or Place

Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Marine or as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions (the *Ionian Islands* excepted) for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude or to be transported as a Felon either for Life or for a certain Term of Years not less than Fourteen, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions (the *Ionian Islands* excepted), to the Officers commanding as aforesaid.

Embezzlement punishable by Transportation.

XXIV. Every Officer and other Person employed in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to Her Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military or Royal Marine Stores, may be tried for the same by a General Court-martial, which may adjudge any such Offender to Penal Servitude or to be transported as a Felon for Life, or for any certain Term of Years not less than Fourteen, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known; and every Commissioned Officer sentenced to Penal Servitude or to be

 transported

transported as a Felon, when such Sentence shall be duly confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Transportation of Offenders.

XXV. Whenever Her Majesty shall intend that any Sentence of Penal Servitude or of Transportation heretofore or hereafter to be passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence, or for any shorter Term, or shall be graciously pleased to commute, as herein provided, any Sentence of Death which shall have been passed by any such Court, such Sentence, together with Her Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude or Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also do all such other Acts consequent upon such Notification as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to the Penal Servitude or Transportation of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or Interrupting the Execution of such Order, as they would be if the same had been made under the Authority of any such Act of Parliament; and every Person so ordered to Penal Servitude or to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons convicted of any Crime and sentenced to Penal Servitude or to be transported, or receiving Her Majesty's Pardon on Condition of Penal Servitude or Transportation; and from the Time when such Order of Penal Servitude or Transportation shall be made every Law and Statute in force touching the Escape of Felons, or their afterwards returning or their being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave, of any such Offender;

Offender; and the Judge who shall make any Order of Penal Servitude or Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude or Transportation was given; which Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms in which such Order for his Penal Servitude or Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

In the Colonies.

XXVI. Whenever any Sentence of Penal Servitude or Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Penal Servitude or Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or Transportation or intermediate Custody of such Offender in like Manner as for the Penal Servitude or Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Penal Servitude or Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence, in the same Manner as if he had been sentenced to be imprisoned

imprisoned with Hard Labour during the Term of his Penal Servitude or Transportation by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Penal Servitude or Transportation shall have been awarded by a General Court-martial or Detachment General Court-martial, it shall be lawful for Her Majesty, or if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour and Solitary Confinement not exceeding the Period herein-after prescribed.

Disposal of Convict after Sentence of Transportation.

XXVII. When any Sentence of Death shall be commuted for Penal Servitude or Transportation, or when any Marine shall by Court-martial be adjudged to Penal Servitude or to be transported as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged or may belong to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Penal Servitude or Transportation to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison the usual Allowance of Sixpence *per Diem* shall be made to the Keeper of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division, upon Production to him, by the said Governor, Keeper, or Superintendent, of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Power to inflict Corporal Punishment.

XXVIII. Any Court-martial may sentence any Marine to Corporal Punishment, not extending to Life or Limb, for disgraceful Conduct as herein-after mentioned, Misbehaviour, or Neglect of Duty, provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Power to inflict Corporal Punishment

XXIX. It shall be lawful for any General, District, or Garrison Court-martial to award Imprisonment, with or without Hard Labour, and

and with or without Solitary Confinement, and in case of a Marine in addition to Corporal Punishment. and Imprisonment.

XXX. In all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Forty-two Days, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Twenty Days, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes; provided that such Commutation of Punishment to Solitary Confinement shall in no Case exceed the Period herein-after prescribed. Power to commute Corporal Punishment.

XXXI. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, or to Forfeiture of any Annuity and Medal which may have been granted for former meritorious Service, or of the Gratuity and Medal awarded for former good Conduct, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct, Forfeiture of Pay and Pension by Sentence of Court-martial.

In wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Marine unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In tampering with his Eyes, with Intent thereby to render himself unfit for the Service:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXXII. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Forfeiture of Pay when in Confinement;

XXXIII. If any Non-commissioned Officer or Marine, by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, or, being an Apprentice, by reason of his being allowed to serve out his Time with his Master, shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement, or Prolongation of Service, as herein-after provided, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Marine was enlisted or re-engaged, or for which his Time of Service may have been prolonged;

prolonged; and no Marine shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in arrest for Debt; and when any Marine shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence, but upon rejoining Her Majesty's Service due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Marine was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under, or in some Manner aided, the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; and any Marine who shall be convicted of Desertion, or of Absence without Leave, shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Marine shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Marine shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized to award, order that such Marine shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, or with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Marine shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Marine who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself; and, in pursuance of any such Order as aforesaid, the Pay of the Marine shall be accordingly forfeited: Provided always, that such Marine shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid: Provided also, that any Marine who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeiture: Provided also, that when any Sentence shall have been wholly remitted, and the Offence

or during Absence on Commitment under a Charge, or in arrest for Debt;

or when Prisoner of War;

or when convicted of Desertion or Absence without Leave;

or when absent without Leave not exceeding Five Days.

Offence pardoned by competent Authority, the Marine shall be entitled to receive his Pay for the Days he may have been in Confinement or Arrest previous to his Trial, and until such Decision has been pronounced: Provided also, that it shall be lawful for the said Lord High Admiral or the said Commissioners to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Marine during the Period of Absence by any of the Causes aforesaid.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXIV. Any General, Garrison, or District Court-martial before which any Marine shall be convicted of habitual Drunkenness shall deprive such Marine of such Portion of his Pay, for such Period not exceeding Two Years, and under such Restrictions and Regulations, as may accord with the Articles of War to be made in pursuance of this Act, subject to Restoration on subsequent good Conduct; and every Divisional or Detachment Court-martial shall deprive a Marine convicted of a Charge of habitual Drunkenness of such Portion of his additional or regular Pay for such Period not exceeding Six Months, and under such Restrictions and Regulations as may accord with the said Articles of War, subject to Restoration on subsequent good Conduct; and in addition to such Deprivation of Pay the Court may, if it shall think fit, sentence such Offender to any other Punishment which the Court may be competent to award: Provided that a Marine so sentenced to the Forfeiture of Pay who shall be quartered or removed to a Station where Liquor forms a Part of his Ration, and is issued in Kind, shall be deprived of his Liquor in Kind, instead of being deprived of One Penny of his daily Pay, for so long a Time as he shall remain in such Station, and such Sentence of Forfeiture of Pay shall remain in force.

Forfeiture of Pay for Drunkenness on Duty.

XXXV. A General, District, or Garrison Court-martial may sentence any Marine for being drunk on Duty under Arms, and any Court-martial may sentence any Marine for being drunk when on or for Duty not under Arms, or on Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Stoppages.

XXXVI. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss, Disposal of, or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, his Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service or for general good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Loss, Disposal of, or Destruction of, or Damage or Injury to, the Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries of any Officer or Marine, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss, Disposal of, or Destruction of, or Damage or Injury to, Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing or repairing the same be made good, the Amount of any Loss, Disposal, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his messing and washing, so much only of the Pay of the Marine may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Discharge with Ignominy.

XXXVII. Whenever any Marine shall have been convicted of any such disgraceful Conduct herein-before described, or of Desertion, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Marine, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

Marking Deserters.

XXXVIII. On the first and on every subsequent Conviction of Desertion the Court-martial, after awarding such Punishment as it may think fit, may order the Offender to be marked on the Left Side, Two Inches below the Armpit, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Power of Imprisonment by different Kinds of Courts-martial.

XXXIX. A General or District or Garrison Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not

 exceeding

exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Divisional or Detachment Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Marine may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement: Provided always, that when any Court-martial, whether General, Garrison, or District, or Divisional or Detachment, shall direct that the Imprisonment shall be solitary only, or when any Sentence of Corporal Punishment shall have been commuted to Imprisonment only, the Period shall in no Case exceed Fourteen Days.

Imprisonment of Offenders already under Sentence for previous Offence.

XL. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence of a Court-martial for any Offence of which he has been before convicted, it shall be lawful for the Court to award Imprisonment for the Offence for which he is under Trial, upon Conviction thereof, to commence at the Expiration of the Imprisonment to which such Offender shall have been previously sentenced; and where such Offender shall be already under Sentence, either of Imprisonment, of Penal Servitude, or Transportation, the Court, if empowered to pass Sentence of Penal Servitude or of Transportation, may award such Sentence for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude or Transportation to which such Offender shall have been previously sentenced, although the aggregate of the Terms of Imprisonment, Penal Servitude, or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Term and Place of Imprisonment.

XLI. Save as herein specially provided, every Term of Penal Servitude, Transportation, or Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall have been signed by the President; and the Place of Imprisonment under the Sentences of Courts martial shall be appointed by the Court or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Commanding Officer of the Division to which the Offender belongs or

or is attached, or the Officer commanding the District, Garrison, Island, or Colony.

Proviso for Removal of Prisoners.

XLII. In the Case of a Prisoner undergoing Imprisonment under Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison, or in any Gaol or House of Correction, in any Part of Her Majesty's Dominions, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer commanding the Division in the Case of a Prisoner imprisoned under the Sentence of a Divisional Court-martial, of his sole Authority, and in all other Cases with the Consent of the Officer commanding the District, Garrison, Island, or Colony, or of the Officer by whom the Sentence of the Court shall have been confirmed, as the Case may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and such Prisoner shall accordingly, on the Production of such Order, be discharged or be delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in Military Custody shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place.

Custody of Prisoners under Military Sentence in Common Gaols.

XLIII. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, or of any Gaol or House of Correction in any Part of Her Majesty's Dominions, shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or from the Officer commanding the Division or Detachment to which the Offender belongs or did last belong or is attached, which Order shall specify the Period of Imprisonment or Remainder of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released or be otherwise disposed of; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time, under an Order duly made for that Purpose; and whenever Marines are called out in aid of the Civil Power, or are stationed

stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Marine for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding such Marine; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Marine Offender in the Manner herein prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Their Subsistence in Common Gaols.

XLIV. The Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Marine imprisoned by the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Marine during the Period of his Imprisonment Sixpence *per Diem*, which the Secretary of the Admiralty shall cause to be issued out of the Subsistence of such Marine, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Expiration of Imprisonment in Common Gaols.

XLV. Every Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to believe or to know, that any Person in his Custody upon any Charge or for any Offence, Civil, Criminal, or Military, is a Marine, shall on receiving him into Custody give Notice thereof to the Secretary of the Admiralty, and also, if he be confined under Sentence of Imprisonment, previous to the Expiration of the Period of the Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds.

Military Prisons established under Act for

XLVI. Every Military Prison which shall be established under or by virtue of any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be deemed

deemed to be public Prisons within the Meaning of any Act now in force or hereafter to be in force for the Regulation of Her Majesty's Royal Marine Forces; and that any Officer or Marine convicted by a Court-martial may be sent, by Order of the Commissioners for executing the Office of Lord High Admiral, to any such Military Prison, there to undergo such Punishment as may be awarded by the Sentence passed upon him, or until he be discharged or delivered up by an Order, as in the Case of a Discharge or Removal from any other Prison under this Act.

punishing Mutiny and Desertion in Army to be deemed public Prisons.

XLVII. Musters, as have been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from any such Muster, unless duly certified to be employed on some other Duty of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to Her Majesty's Service who shall give or procure to be given any untrue Certificate thereby to excuse any Person from any Muster or other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or who shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court-martial, for any such Offence be forthwith cashiered, and disabled to have or hold any Civil or Military Office or Employment in the Service of Her Majesty; and any Person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to Her Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise in order to excuse any Officer or Marine from Appearance at any Muster, or whereby Her Majesty's Service may be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds.

Musters, and Penalty on false Musters.

XLVIII. All Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk.

Verifying of Muster Rolls.

XLIX. Every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have unlawfully enlisted,

Trials for Desertion after subse-

quent Re-enlistment.

enlisted, although he may of right belong to another Corps, and be a Deserter therefrom; and whether such Marine shall be tried for deserting from the Corps to which he may of right belong, or from the Corps into which he may have unlawfully enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may at the Time be taking his Trial may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Apprehension of Deserters.

L. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then it shall be lawful for any Officer or Marine in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice living in or near such Place, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and if it shall appear by the Testimony of One or more Witnesses taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence, or by the Knowledge of such Justice, or by Evidence sufficient to satisfy such Justice, that there are reasonable Grounds for believing that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Division to which he belongs, if stationed within Five Miles of the Place of Apprehension, or if such Head Quarters or Depôt shall not be stationed within Five Miles, then to the nearest or most convenient public Prison (other than a Military Prison) or Police Station legally provided as the Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter shall have been apprehended by a Party of Marines in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such Deserter was delivered to a Party of Marines in order for his being taken to the Head Quarters or Depôt of his Division, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, and proceeded against according to Law; and such Justice shall also send to the Secretary of the Admiralty a Report stating the Names of the Persons

Persons by whom the Deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Person so certified to be entitled thereto; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also, upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a Copy of the Commitment, to the end that the Secretary of the Admiralty may order Repayment of the same; and that when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies, the Justice shall forthwith cause him to be conveyed to some public Prison, if the Detachment to which he is suspected to belong shall not be in the Colony, or if the Detachment be in the Colony, the Justice may, if within reasonable Distance, deliver him into Custody at the nearest Military Post, although the Detachment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the Officer commanding in the Colony a Descriptive Return in the Form prescribed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law.

Penalty on Marines straggling or attempting to desert from Head Quarters.

LI. For and in respect of any Marine straggling or attempting to desert from any Head Quarters who may be apprehended at a greater Distance from Head Quarters than is allowed by the Articles of War, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the delivering up of such Marine, which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Marine.

Temporary Custody of Deserters in Gaols.

LII. Every Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Marine conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Admiralty, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such

such Gaoler or Person shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by the said Lord High Admiral or the said Commissioners.

Fraudulent Confession of Desertion.

LIII. Any Person who, while serving in Her Majesty's Navy or in any of Her Majesty's Forces, or the Embodied Militia, or the Forces of the *East India* Company, shall, to any Officer, or Subordinate, Warrant, Petty, or Non-commissioned Officer, fraudulently confess himself to be a Deserter, shall be liable to be tried by any Court-martial under this Act, and punished according to the Sentence thereof; and any Person who shall voluntarily deliver himself up as and confess himself to be a Deserter from Her Majesty's Royal Marine Forces, or who, upon being apprehended for any Offence, shall in the Presence of the Justice confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Marine, and shall be liable to serve in Her Majesty's Royal Marine Forces, whether such Person shall have been ever actually enlisted as a Marine or not; or in case such Person shall not be a Deserter from the Royal Marine Forces, or shall have been discharged therefrom or from any other Corps for any Cause whatever, or shall be incapable of Service, he shall, on Conviction thereof before Two Justices of the Peace at or near the Place where he shall deliver himself up or confess, or where he may at any Time happen to be, be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if in *Scotland* or *Ireland*, by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Months, or shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and, if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, or, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, (as the Case may be,) shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, (as the Case may be,) and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished in *England* as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction of the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Record of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in Her Majesty's Royal Marine Forces he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

Punishment for inducing Marines to desert.

LIV. Any Person who shall, in any Part of Her Majesty's Dominions, by Word, or by any other Means whatsoever, directly or indirectly procure any Marine to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Marine to desert, and any Person who, knowing that any Marine is about to desert, shall aid or assist him in deserting, or, knowing any Marine to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, shall be deemed guilty of a Misdemeanor, and shall on Conviction thereof be liable to be punished by Fine or Imprisonment, or both, as the Court before which such Conviction shall take place may adjudge.

Extension of Furlough in case of Sickness.

LV. When there shall not be any Officer of Her Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine on Furlough shall be detained by Sickness or other Casualty rendering necessary an Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and

Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment according to the Provisions of this Act for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marines liable to be taken out of Her Majesty's Service only for Felony and certain Misdemeanors, or for Debts amounting to 30*l.* and upwards;

LVI. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony, or on account of Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Fact sworn to, and the Day of filing such Affidavit; but no Marine or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Writ, Summons, Order, Warrant, Judgment, Execution, or any Process whatever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left his Family or any Part thereof chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Marine or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order in that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made

but not liable to be taken out of Her Majesty's Service for not maintaining their Families or for Breach of Contract.

made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body: Provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, as herein prescribed.

Officers not liable to take Parish Apprentices.

LVII. No Officer of Her Majesty's Royal Marine Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish poor Child bound Apprentice to him.

Officers not to be Sheriffs or Mayors.

LVIII. No Person who shall be commissioned and in Full Pay as an Officer in the Royal Marine Forces, or who shall be employed in enlisting for such Forces, shall be capable of being nominated or elected to be Sheriff, Constable, or Overseer, Guardian of any Union, or any Officer of a like Description, of any County, Hundred, Riding, City, Borough, Town, Division, Parish, or other Place, or to be Mayor, Portreeve, Alderman, or shall be capable of holding any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*, or be summoned or shall serve as a Grand or Petit Juror or upon any Inquest, and any Summons for him to attend to serve as a Grand or Petit Juror or upon an Inquest shall be null and void; and every such Person is hereby exempted from Attendance and Service in accordance with any such Summons, and from all Fines, Pains, and Penalties for or in consequence of not attending or serving as aforesaid.

Enlisting and swearing of Recruits.

LIX. Every Person who shall receive Enlisting Money (knowing it to be such) to serve in the Royal Marines from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall, within Twelve Hours after the Receipt of the Enlisting Money,

Money, cause to be taken down in Writing the Name and Place of Abode of such Recruit, and, if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist, the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight Hours, but not sooner than Twenty-four Hours, (any intervening *Sunday* not included,) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit in the Form prescribed in the Schedule to this Act annexed, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Marine he shall within Ninety-six Hours, (any intervening *Sunday* not included,) but not sooner than Twenty-four Hours after such Enlisting, unless he shall voluntarily have absented himself or absconded, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, not being an Officer in the Marines, residing in the Vicinity of the Place or acting for the Division or District or Place where such Recruit shall have enlisted, or where the Head Quarters of the Recruiting Party shall be stationed, and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there in the Presence of the said Recruit record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the several Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed applicable to the Case of a Recruit, and no other Oaths, anything in any Act to the contrary notwithstanding; and the Fee for administering such Oath shall be One Shilling and no more; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Justice, at the Request of the Officer or Non-commissioned Officer with whom he enlisted, to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

LX. Any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and repaying the Enlisting Money, and the full Amount of any Pay he may have received as a Recruit, and also paying the Sum of Twenty Shillings as Smart Money, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay all such Money and Pay as aforesaid, he shall be deemed and taken to be enlisted as if he had given his

his Assent thereto before the said Justice: Provided always, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Ninety-six Hours as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice upon Proof to his Satisfaction that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary of the Admiralty, shall be paid to any Person belonging to the Recruiting Party entitled thereto and demanding the same: Provided also, that no Recruit who has actually, though erroneously, been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate under his Hand specifying the Cause thereof.

Offences connected with Enlistment.

LXI. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought

regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his belonging or having belonged to any Regiment, or to the Marines, Ordnance, or Navy, or the Forces of the *East India* Company, and discharged, or to have deserted therefrom, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried, and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted;

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

tuted; and the Production of the Oath in the Schedule to this Act annexed taken by the Recruit on his Attestation, and the Certificate signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Navy or Marine or Ordnance, or to the Forces of the *East India* Company, or that he designedly made any false Representation of any Particular contained in the said Oaths and Certificates or either of them before the Justice at the Time of the Attestation of the Person being prosecuted, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, Ordnance, or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall upon Conviction thereof before any One Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army, Ordnance, or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice of the United Kingdom, or before a Divisional or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Forces, Army, Ordnance, or Marines, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and

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be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary of the Admiralty shall direct, or if enrolled in the Militia as a balloted Man or a Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end be and serve as a Marine of the Division of Her Majesty's Royal Marine Forces into which he has so enlisted or in the Navy into which he shall have entered: Provided also, that every such Person so enlisted shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, or if he had entered the Navy, to the Law, Rules, Regulations, and Customs by which the Navy is governed, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines or from the Navy if he shall neglect or refuse to join and serve in the Marines or in the Navy as aforesaid.

Penalty on Officers offending as to Enlistment.

LXII. Every Marine Officer who shall wilfully act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for Her Majesty's Service shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in Her Majesty's Service.

Apprentices enlisting to be liable to serve after the Expiration of their Apprenticeship.

LXIII. Any Person duly bound as an Apprentice who shall enlist into Her Majesty's Royal Marine Forces, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences within the true Intent and Meaning of the before-recited Acts, if in *England* or in *Ireland*, and of Falsehood, Fraud, and wilful Imposition if in *Scotland*, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits may be taken as a Deserter from Her Majesty's Royal Marine Forces.

Claims of Masters to Apprentices.

LXIV. No Master shall be entitled to claim an Apprentice who shall enlist as a Marine in Her Majesty's Service unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take the Oath

Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, (not having been above the Age of Fourteen Years when so bound,) and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and if in *Scotland* for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any such Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

No Apprentice claimed by the Master shall be taken away without a Warrant.

LXV. No Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of Her Majesty, except under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, and before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer), and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if

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Punishment of Apprentices enlisting.

required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Servants enlisting to be entitled to a Portion of their Wages.

LXVI. It shall be lawful for the Justice before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and if the same be not paid within Four Days shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Removal of Doubts as to Attestation of Marines.

LXVII. And whereas certain Marines who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Marines have been so sworn and attested were the proper Justices to administer to such Marines the Oaths prescribed by the several Acts passed for the Regulation of Her Majesty's Royal Marine Forces while on shore: Be it enacted, That in every Case where any such Marine having been duly enlisted shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed in the last Session of Parliament, for the Regulation of Her Majesty's Royal Marine Forces while on shore, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes, and in like Manner, as if he had been duly attested and sworn.

Admiralty may order

LXVIII. It shall also be lawful for the Lord High Admiral, and also for the said Commissioners for executing the Office of Lord High

High Admiral, to give Orders for withholding the Pay of any Officer or Marine for any Period during which such Officer or Marine shall be absent without Leave, or improperly absent from his Duty, or in case of any Doubt as to the proper Issue of Pay to withhold it from the Parties aforesaid until the said Lord High Admiral or the said Commissioners shall come to a Determination upon the Case. Pay to be withheld.

LXIX. And whereas there is and may be Occasion for the marching and also for the quartering of the Royal Marine Forces when on shore: Be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, or upon the Order or Orders in Writing in that Behalf under the Hand of any Colonel Commandant or Commanding Officer of any Division of Royal Marines, it shall be lawful for all Constables and other Persons specified in this Act in *England* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of such Houses, and be furnished by such Victualler with proper Accommodation in such Houses, and with a separate Bed for each Marine, or if any Victualler shall not have sufficient Accommodation in the House upon which a Marine is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Marines are on their March shall any of them be billeted above One Mile from the Place mentioned in the Route; and in all Places where Marines shall be billeted in pursuance of this Act, the Officers and their Horses shall be billeted in One and the same House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were therein locally situated: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs when the Constable of the Billeting of Marines.

the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present, or to the Non-commissioned Officer on the Spot; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons as they shall see Cause; and when any Horses belonging to the Officers of Her Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person having Stables by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to Her Majesty's Service: Provided also, that to prevent or punish all Abuses in billeting Marines it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to their Houses; and it shall be lawful for Constables to billet Officers and Marines in *Scotland* according to the Provisions of the Laws in force in *Scotland* as regards billeting Officers and Soldiers in the Royal Army at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of

of *Edinburgh:* Provided also, that no Justice being an Officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Allowance to Innkeepers.

LXX. The Innholder or other Person on whom any Marine is billeted in *England* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days, when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Marines may be billeted in *England*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof such a Sum as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being shall at any Time or Times direct, but not less than the Sum of a Halfpenny *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *England*, for Hay and Straw, shall be Ninepence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Persons for Horses billeted by virtue of this Act shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland;* and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billeted, the Sum of Fourpence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay and Subsistence of the Officers and Men shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons on whom such Men are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same as aforesaid, then, upon Complaint and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters

were situate, sitting in Quarter or Petty Sessions, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged against such Officer, and in case of any Marines being suddenly ordered to march, and of the Commanding Officer not being enabled to make immediate Payment of the Sums due on account of Billets, every such Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Officer's Account.

Supply of Carriages.

LXXI. For the regular Provision of Carriages for the Royal Marine Forces and their Baggage on their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, or any Colonel Commandant or Commanding Officer of a Division of Royal Marines, shall, on the Production of such Order, or a Copy thereof certified by the Commanding Officer, to them or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrant shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, which List shall at all seasonable Hours be open to the Inspection of the

the said Persons, and shall by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages without any special Warrant from him for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for Carriages.

LXXII. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland*, for every Hundredweight loaded on any Wheel Carriage One Halfpenny *per* Mile; and in *England* such further Rates may be added, not exceeding a total additional Sum *per* Mile of Fourpence, Threepence, or Twopence to the respective Rates of One Shilling, Ninepence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions in *England* for their respective Districts, or to the Recorder of any Municipal City, Borough, or Town, Corporate or not Corporate; and the Order of such Justices at Sessions or Recorder shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, and the Period for which the Order shall be enforced, not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof; and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation not exceeding the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down the proper Sums into the Hands of the Constable providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the proper Sums to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded,

loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of Her Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England:* Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Ninepence a Mile, shall be required to carry Fifteen Hundredweight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Marines from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of Marines on any Pretence whatever.

Providing for Supply of Carriages, &c. in Cases of Emergency.

LXXIII. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of *Ireland*, by their or his Orders distinctly stating that a Case of Emergency doth exist, signified by the Secretary of the Admiralty, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any Commanding Officer of Her Majesty's Royal Marine Forces in any District or Place, or to the chief acting Agents for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of the Lord High Admiral, or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid,

aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon not only the Baggage, Provisions, and Military Stores of such Detachment, but also the Officers, Marines, Servants, Women, Children, and other Persons of and belonging to the same.

Justices of Peace to direct Payment of Sums expended for Carriages, &c.

LXXIV. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of the Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Lord Lieutenant of Ireland may

LXXV. It shall be lawful for the said Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign

depute Persons to sign Routes.

Routes in Cases of Emergency for the marching of any of Her Majesty's Royal Marine Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Exemption from Tolls.

LXXVI. All Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses and Baggage, (but not when passing in any private or hired Vehicle,) and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction, of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

LXXVII. Every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days Marching Money) to enable him to reach his Home, or the Place at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place

Place of his original Enlistment, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, before the Expiration of his Period of Service, shall be entitled to any such Allowance.

Notification to Parishes of good or bad Conduct of Marines.

LXXVIII. The Churchwardens of every Parish in *England* and *Ireland*, and the Constable or other Officer of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary of the Admiralty of the Name of any Marine belonging to the said Parish or Place who has for meritorious Conduct received Her Majesty's special Approbation, or who in consequence of Misconduct has been dismissed Her Majesty's Service with Disgrace, shall affix to and leave such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of such Notification.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

LXXIX. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Eighteen Pounds of Hay and

and Six Pounds of Straw *per Diem* for each Horse, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Marine or Marine Recruit with the view of fraudulently obtaining a Billet or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Penalty upon Officers of Marines so offending.

LXXX. If any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer tending to deter and discourage any of them from performing any Part of their Duty under this Act, or to do anything contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided a Certificate thereof be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take or knowingly suffer to be taken any Money or Reward of any Person for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House against the Consent of the Occupier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day, if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required, and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, he shall forfeit for every Offence

Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty for forcible Entry.

LXXXI. Every Marine Officer who shall, without Warrant from One or more of Her Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Penalty for purchasing Clothes, &c. from any Marine.

LXXXII. Any Person who shall detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or entice any Marine or Marine Deserter, or shall be employed by any Marine or Marine Deserter, knowing him to be such, to sell any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, whether on shore or afloat, and whether the Marine or Marine Deserter or other Person be or be not borne on the Books of any One of Her Majesty's Ships, or be or be not embarked, or who shall have in his or her Possession or Keeping any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, and shall not give a satisfactory Account how he or she came by the same, or shall change or cause the Colour or Mark of any such Clothes, Appointments, Necessaries, Sheets, or other Articles to be changed or defaced, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence

to prove a Conviction for the former Offence; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description hereinbefore described, on or with respect to which any such Offence shall have been committed, the Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon Search any such Property shall be found the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law.

Penalty on unlawful recruiting.

LXXXIII. All the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Royal Marines, or shall open or keep any House or Place of Rendezvous or Office, or receive any Person therein under such Bill or Advertisement as connected with the Marine Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty on Officers killing Game.

LXXXIV. For the better Preservation of the Game and Fish in or near such Place where any Officer shall at any Time be quartered, every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, and who upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Limitation of Actions.

LXXXV. If any Action shall be brought against any Member or Members of a Court-martial to be assembled under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, in respect of the Proceedings or the Sentence thereof, or against any other Person, for anything done in pursuance or under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, the same shall be brought in some One of the Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and

and that it shall be lawful for the Defendant or Defendants therein, or in any such Action now pending, to plead thereto the General Issue, and to give all special Matter in Evidence on the Trial; and if the Verdict shall be for the Defendant in any such Action, or if the Plaintiff shall become nonsuit or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Recovery of Penalties.

LXXXVI. All Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture or Treble Value can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures or Treble Value as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions other than the United Kingdom, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of Her Majesty's Dominions in which the Offence shall be committed or the Offender may at any Time happen to be, and for default of Payment the Offender shall be punished as if the Offence had been committed in the United Kingdom; and all Penalties and Forfeitures by

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Part of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

Appropriation of Penalties.

LXXXVII. One Moiety of every such Penalty or Forfeiture, not including any Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of such Articles, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct, anything in an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same, and his Adjudication thereof, to the Secretary of the Admiralty.

5 & 6 W. 4. c. 76.

Licences of Canteens.

LXXXVIII. It shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement with any Department or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, without regard to the Time of Year, or any Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise or their proper Officers within their respective Districts shall also grant or transfer any such Licence as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such Exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever.

Mode of recording a Marine's Settlement.

LXXXIX. Any Justice in the United Kingdom, within whose Jurisdiction any Marine shall be quartered on shore, may summon such Marine before him, which Summons such Marine is hereby required to obey, and take his Examination in Writing upon Oath touching the Place of his last legal Settlement in *England*; and such Justice shall give an attested Copy of such Examination to the

the Person so examined, to be by him delivered to his Commanding Officer to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination or a Copy of such attested Copy of Examination, if required: Provided also, that when no such Examination shall have been required, the Statement made on Oath by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Administration of Oaths.

XC. All Oaths and Declarations which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or Magistrate acting as such; and that any Person giving false Evidence or taking a false Oath or Declaration in any Case wherein an Oath or Declaration is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury shall be cashiered, and every Marine or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court.

Perjury.

Definition of Terms.

XCI. All Clauses and Provisions in this Act contained, relating to *England*, shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed;* and the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer of Royal Marines, or who are or shall be listed or in Pay as a Non-commissioned Officer or Marine; and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers and Inspectors or other Officers of Police, and High Constables, and other Chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other

chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act; and all Provisions for billeting Marines in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses or Places thereunto belonging, to all Houses of Persons licensed to sell Beer, Ale, Porter, Cider, or Perry by Retail, to be consumed or drank in their Dwelling Houses or Premises, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then Marines may be billeted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billeted in *England* in any private Houses or in any Canteen held or occupied under the Authority of the Ordnance or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences; nor in the House of any Distiller kept for distilling Brandy and Strong Waters; nor in the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses; nor in the House or Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Marines not to be billeted in private Houses, &c.

Duration of Act.

XCII. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-five until the Twenty-fifth Day of *April* One thousand eight hundred and fifty-six inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-five until the First Day of *May* One thousand eight hundred and fifty-six inclusive; and within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and fifty-five until the Twenty-fifth Day of *July* One thousand eight hundred and fifty-six inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and fifty-five until the Twenty-fifth Day of *September* One thousand eight hundred and fifty-six inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and fifty-five until the Twenty-fifth Day of *November* One thousand eight hundred and fifty-six inclusive.

SCHE-

SCHEDULE referred to by this Act.

Form of Oaths to be taken by Members of Courts-martial.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law.

So help me GOD.

Form of Oath of Judge Advocate.

I do swear, That I will not, upon any account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved.

So help me GOD.

NOTICE to be given to a Recruit, or left at his Place of Abode, or at the Place at which he stated that it was his Intention to sleep, agreeably to the Provisions of the Marine Mutiny Act, within Forty-eight but not sooner than Twenty-four Hours after his Enlistment, the Hours of Sunday not being counted.

[*Date*] 185 .

you enlisted with

at o'Clock* on the Day of

185 , for the Royal Marines, and if you do not come forward on or before o'Clock* on the for the Purpose of being taken before a Magistrate, either to be attested, or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be legally adjudged to be a Marine without Attestation, and will be proceeded against as a Deserter.

Signature of the Officer or Non-commissioned Officer commanding the Party. _____

Name of the Recruit _____

Residing at _____

* A.M. or P.M. as the Case may be.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces for the Term of [*this Blank to be filled up by the Justice with* "Twelve Years," *if the Person enlisted is of the Age of Eighteen Years or upwards, but if under that Age then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

9. At

Marine Mutiny.

9. At what Place, on what Day, at what Hour of the Day, and by whom, were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia, or to the Naval Coast Volunteers?*
13. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

* The Justice is directed, in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to forfeit One Penny a Day of his Pay for Eighteen Calendar Months, and to Fourteen Days Imprisonment if he is not attested; and if he belongs to the Naval Coast Volunteers he is liable, under the Act Sixteenth and Seventeenth Victoria, Chapter Seventy-three, to Imprisonment for Six Months, and his Enlistment will be null and void.

OATH to be taken by a RECRUIT on Attestation.

I do make Oath, That the above Questions have been separately put to me, that the Answers thereto have been read over to me, and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies; and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand,

_____ *Signature of the Recruit.*

_____ *Witness present.*

Sworn before me at this Day of One thousand eight hundred and at o'Clock.

_____ *Signature of the Justice.*

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently
Height, Feet Inches.
Complexion,
Eyes,
Hair,
Any Distinctive Mark.

to wit. } I One of Her Majesty's Justices of the Peace at do hereby certify, That the above is the Description of the Recruit ; and in my Presence all the foregoing Questions were put to the said ; that the Answers written opposite to them are those which he gave to me; and that the Thirtieth and Thirty-sixth Articles of the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces while on shore, against Mutiny and Desertion, were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; that he was not attested until Twenty-four Hours had elapsed after he received Enlisting Money; that [*this Blank is to be supplied by the Words* "the Place where he swears that he enlisted is in the Vicinity of my Residence," *or by the Words* "the Place where he swears that he enlisted is within the Division, District, or Place for which I act," *or by the Words* "I am acting within the Division, District, or Place where the Head Quarters of the Recruiting Party is stationed," *as the Case may be*]; that I am not an Officer in the Marines, and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of the Justice.

DECLARATION to be made by a MARINE renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be,*] in the Division of the Royal Marine Forces; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, as a Marine, for a further Term of Years [*to be filled up with Twelve Years, and in the Case of a Marine about to embark for Foreign Service with such Number of Years as shall be required to complete a total Service of Twenty-*

Twenty-four Years], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me, _____

_____ *Signature of Marine.*

_____ *Signature of Witness.*

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of last abscond and quit my Service without my Consent, and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and

---

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade; by Indenture dated the Day of , for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

DESCRIPTION

Marine Mutiny.

DESCRIPTION RETURN of committed to Confinement at on the Day of as Deserter from the Royal Marines.

Age - - - - -	
Height - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - -	
Eyes - - - - -	
Marks - - - -	
Probable Date of Enlistment, and where-	
Probable Date of Desertion, and from what Place - - - -	
* Name and Occupation and Address of the Person by whom apprehended	
* Particulars of the Evidence on which the Prisoner is committed; and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he† a Deserter from the above-mentioned Corps.

——————— *Signature and Address of Magistrate.*

——————— *Signature of Prisoner.*

——————— *Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——————— *Signature of Military Medical Officer, or of Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be, and if unfit, state the Cause of Unfitness.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

CAP. XIII.

An Act to explain and amend the Lunacy Regulation Act, 1853. [26th *April* 1855.]

WHEREAS by the Section numbered CXXIX. of an Act passed in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Proceedings under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by Inquisition, and their Estates*, it was enacted, that where a Lunatic is seised or possessed of or entitled to Land in Fee or in Tail, or to Leasehold Land for an absolute Interest, and it appears to the Lord Chancellor, intrusted as in the said Act mentioned, to be for his Benefit that a Lease or Underlease should be made thereof for Terms of Years, for encouraging the Erection of Buildings thereon, or for repairing Buildings actually being thereon, or otherwise improving the same, or for Farming or other Purposes, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor, intrusted as aforesaid, make such Leases of the Land or any Part thereof, according to the Lunatic's Estate and Interest therein, and to the Nature of the Tenure thereof, for such Term or Terms of Years, and subject to such Rents and Covenants, as the Lord Chancellor, intrusted as aforesaid, shall order: And whereas it has been considered that the Lord Chancellor, intrusted as aforesaid, cannot by Force of the said Enactment empower the

Committee of a Lunatic Tenant in Tail to grant Leases as extensively as was intended by the said Enactment, which will bind his Issue in Tail and the Remaindermen: And whereas it is expedient to explain and enlarge the Power of the Lord Chancellor, intrusted as aforesaid, in the Matter aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lord Chancellor, in Matters of Lunacy, enabled to empower Committees of Estates to grant Leases binding on Issue or Remaindermen.

I. Where a Lunatic is seised of or entitled to Land in Tail, and it appears to the Lord Chancellor, intrusted as aforesaid, to be for his Benefit, the Committee of the Estate may in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor, intrusted as aforesaid, make any such Leases of the Land or any Part thereof as in the said Section of the said Act are mentioned, and every such Lease shall be good and effectual in Law against the Lunatic and his Heirs, and all Persons claiming the Lands entailed by force of any Estate Tail which shall be vested in such Lunatic, and also against all Persons, including the Queen's most Excellent Majesty, Her Heirs and Successors, whose Estates are to take effect after the Determination of or in remainder or reversion expectant upon such Estate Tail, according to such Estate as is comprised and specified in every such Lease, in like Manner as the same would have been good and effectual in Law if the Lunatic at the Time of the making of such Leases had been lawfully seised of the same Lands comprised in such Lease of a pure Estate in Fee Simple to his own Use, and had been of sound Mind, and not the Subject of a Commission of Lunacy, and had himself granted such Lease; and every Person to whom from Time to Time the Reversion expectant upon the Lease shall belong after the Death of the Lunatic shall and may have such and the like Remedies and Advantages, to all Intents and Purposes, against the Lessee, his Executors, Administrators, and Assigns, as the Lunatic or his Committee would or might have had against him or them: And the Powers given by Sections numbered CXXX. and CXXXI. of the said recited Act shall and are to operate as extensively as the Power given by the said Section CXXIX. of the said Act as explained and enlarged by this Act.

Interpretation.

II. Where any of the Expressions in this Act are used in the said recited Act they shall receive the same Interpretation in this Act as by the said recited Act is imposed upon them.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

CAP. XIV.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.

[26th *April* 1855.]

WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, "Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Tenth Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures mentioned in Schedule may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

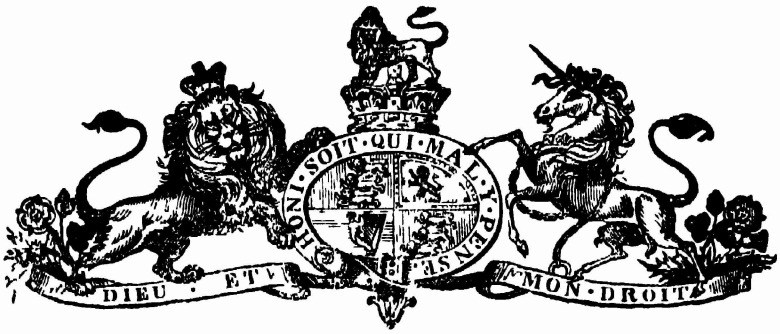
Short Title.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The "Annual Inclosure Act, 1855," or "The Acts for the Inclosure, "Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Kirkland - - -	Cumberland - -	15th June 1854.
North Coats - - -	Lincoln - -	22d June 1854.
Bowerchalke - - -	Wilts - - -	22d June 1854.
Engollan Common - -	Cornwall - -	13th July 1854.
Ulleskelf - - -	York - - -	4th October 1854.
Thrandeston - - -	Suffolk - -	9th September 1854.
Milburn Fell Pasture -	Westmorland - -	8th June 1854.
Ilkley Cow Pasture - -	York - - -	4th October 1854.
Great Boughton - -	Chester - -	18th May 1854.
Melmerby - - -	Cumberland - -	14th January 1853.
Dymock - - -	Gloucester - -	27th October 1854.
Westwick - - - -	Cambridge - -	27th July 1854.
Pendine - - -	Carmarthen - -	3d January 1855.
Barnes - - -	Surrey - -	3d January 1855.
Ramsden Bellhouse - -	Essex - -	11th January 1855.
West Lulworth and Winfrith Newburgh - -	Dorset - - -	18th January 1855.
Bootle - - -	Cumberland - -	17th January 1854
Penlline and Langan - -	Glamorgan - -	25th January 1855
The Wash Common -	Berks - - -	4th January 1855.
Horsepath and Shotover -	Oxford - -	26th January 1855.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XV.

An Act for the better Protection of Purchasers against Judgments, Crown Debts, Cases of Lis pendens, and Life Annuities or Rentcharges.

[26th *April* 1855.]

WHEREAS an Act of Parliament was passed in the Session of the First and Second Years of Her Majesty, intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in* England; and another Act in the Session of the Second and Third Years of Her Majesty, intituled *An Act for the better Protection of Purchasers against Judgments, Crown Debts, Lis pendens, and Fiats in Bankruptcy;* and another Act in the Session of the Third and Fourth Years of Her Majesty, intituled *An Act for further amending the Act for abolishing Arrest on Mesne Process in Civil Actions:* And whereas the Provisions of the said Acts respecting Judgments, Decrees, Orders, and Rules, and Lis pendens, ought to include and be applicable to the Counties Palatine of *Lancaster* and *Durham*, and the Common Law and Equity Courts thereof respectively: And whereas an Act was passed in the Session of the Thirteenth and Fourteenth Years of Her Majesty, intituled *An Act to amend the Practice and Proceedings*

1 & 2 Vic. c. 110.

2 & 3 Vict. c. 11.

3 & 4 Vict. c. 82.

13 & 14 Vict. c. 43. s. 24.

Proceedings of the Court of Chancery of the County Palatine of Lancaster, by force whereof the said Provisions do to some Extent include and are applicable to the County Palatine of *Lancaster*, as far as regards the Court of Chancery thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Judgments of Common Law Palatinate Courts obtained before coming into Operation of 1 & 2 Vict. c. 110. and not registered under the same, not to affect Lands, &c. unless registered within limited Time.

I. Any Judgment of the Court of Common Pleas of the County Palatine of *Lancaster*, or of the Court of Pleas of the County Palatine of *Durham*, obtained before the coming into operation of the said Act of the Session of the First and Second Years of Her Majesty, and not already registered in the said Courts respectively under the Provisions of the same Act, and which shall not be registered in the said Courts respectively under the same Provisions as amended by this Act, on or before the First Day of *November* One thousand eight hundred and fifty-five, shall not after that Day affect any Lands, Tenements, or Hereditaments in the said Counties Palatine respectively as to Purchasers, Mortgagees, or Creditors, unless and until such Memorandum or Minute of such Judgment as is in the said Act prescribed shall be left with the Prothonotary of the Court in which the Judgment has been obtained, who shall forthwith enter the same in manner by the same Act as amended by this Act directed in regard to Judgments thereby authorized to be registered, and shall be entitled for every such Entry to the Sum of Two Shillings and Sixpence; and the Provision for Re-registration, *toties quoties*, herein-after mentioned, as explained by this Act, is hereby extended and applied, *mutatis mutandis*, to Judgments registered under this present Provision.

Fee for Entry of Judgments.

Certain Provisions of 1 & 2 Vict. c. 110. extended to Common Law Palatinate Courts, and to Equity Court of Durham.

II. And be it declared and enacted as follows: The Provisions contained in the Sections of the said Act of the First and Second Years of Her Majesty numbered respectively XVIII., XIX., and XX., giving to certain Rules of Courts of Common Law, and Decrees and Orders of Courts of Equity, the Effect of Judgments in the Superior Courts of Common Law, and constituting the Persons therein mentioned Judgment Creditors, and giving to Courts of Equity the Powers by the same Act given to the Judges of the said Superior Courts, and giving to the Persons so constituted Judgment Creditors as aforesaid such Remedies as are therein mentioned, and authorizing the Registration of such Decrees, Orders, and Rules as aforesaid, and providing for the Writs to be sued out of Courts of Equity, shall extend and are applicable, *mutatis mutandis*, to the said Counties Palatine and the Courts of Common Law thereof respectively, and to the Court of Chancery of the County Palatine of *Durham*, within the Limits of their respective Jurisdictions, to the end

end that the same Law in the respects aforesaid may apply to the Courts of the said Counties Palatine, and the Decrees, Orders, Judgments, and Rules thereof, so far as relates to Lands, Tenements, and Hereditaments within the Jurisdiction of such Courts respectively, as under the previous Statutes amended by this Act, will regulate the Operation of Judgments in the Superior Courts of Common Law: But no Judgment, Decree, Order, or Rule of any Court shall bind Lands, Tenements, and Hereditaments in the said Counties Palatine respectively, as against Purchasers, Mortgagees, or Creditors, unless and until such Memorandum or Minute thereof as herein-before is mentioned shall be left with the Prothonotary of the Palatine Court in which are situated the Lands, Tenements, and Hereditaments intended to be charged thereby.

Certain Provisions of 2 & 3 Vict. c 11. and 3 & 4 Vict. c. 82. extended to Common Law and Equity Courts of Counties Palatine.

III. The Provisions contained in the Sections of the said Act of the Second and Third of Her Majesty numbered respectively III., IV., V., and VII., and in the Section of the said Act of the Third and Fourth of Her Majesty numbered II., respecting the Particulars to be inserted in the Register by the Master, and respecting the Re-registration of Judgments, Decrees, or Orders, and Rules, and respecting the Registration and Re-registration of Lis pendens, and respecting the Protection of Purchasers, Mortgagees, and Creditors, as explained or amended by this Act, shall extend and are applicable, *mutatis mutandis*, to the Counties Palatine and the Courts of Common Law and Courts of Chancery thereof respectively, within the Limits of their respective Jurisdictions.

No Judgment, &c., registered under 3 & 4 Vict. c. 82. to affect Lands, &c. as to Purchasers, &c. until registered.

IV. And whereas the Protection afforded to Purchasers, Mortgagees, and Creditors, by the said Act of the Third and Fourth of Her Majesty, against Judgments, Decrees, Orders, or Rules not duly registered, any Notice thereof notwithstanding, is confined to Judgments, Decrees, Orders, or Rules binding by virtue of the said Act of the First and Second Years of Her Majesty: And whereas the Docket or Register previously in use has been closed, and the said Provision ought not to be so restricted: Be it therefore enacted, That no Judgment, Decree, Order, or Rule which might be registered under the said Act of the First and Second Years of Her Majesty shall affect any Lands, Tenements, or Hereditaments, at Law or in Equity, as to Purchasers, Mortgagees, or Creditors, unless and until such a Memorandum or Minute as in the said Act in that Behalf mentioned shall have been left with the proper Officer of the proper Court, any Notice of any such Judgment, Decree, Order, or Rule to any such Purchaser, Mortgagee, or Creditor in anywise notwithstanding.

V. And

Purchasers Protection against Judgments.

Purchasers protected against Judgments not re-registered.

V. And whereas it is expedient that certain Doubts which have arisen upon some of the Provisions for the Protection of Purchasers against Judgments in the said Acts contained should be removed: Be it therefore declared and enacted as follows: The Provision contained in the Section numbered II. of the said Act of the Third and Fourth Years of Her Majesty extends and shall be deemed to extend as well to the Act therein referred to as to the Section numbered IV. of the said Act of the Second and Third of Her Majesty, as explained by this Act, so that Notice of any Judgment, Decree, Order, or Rule, not duly re-registered, shall not avail against Purchasers, Mortgagees, or Creditors, as to Lands, Tenements, or Hereditaments.

Provision for Re-registration explained.

VI. Where by the said Act of the Second and Third Years of Her Majesty Re-registry of Judgments, Decrees, Orders, or Rules is required within such Period of Five Years as is therein mentioned, in order to bind Purchasers, Mortgagees, and Creditors, it shall be deemed sufficient to bind such Purchasers, Mortgagees, and Creditors if such a Memorandum or Minute as was required in the first instance is again left with the Senior Master of the Common Pleas within Five Years before the Execution of the Conveyance, Settlement, Mortgage, Lease, or other Deed or Instrument vesting or transferring the legal or equitable Right, Title, Estate, or Interest, in or to any such Purchaser or Mortgagee for valuable Consideration, or as to Creditors within Five Years before the Right of such Creditors accrued, as directed by the said last-mentioned Act, although more than Five Years shall have expired by Effluxion of Time since the last previous Registration before such last-mentioned Memorandum or Minute was left, and so *toties quoties* upon every Re-registry.

Judgments of Inferior Courts, when removed, shall be registered.

VII. Where by the Section numbered XXII. of the said Act of the First and Second Years of Her Majesty Power is given to remove Judgments, Rules, or Orders obtained in or made by certain Inferior Courts into the said Superior Courts, or into the Court of Common Pleas of *Lancaster*, as the Case may be, no such Judgment, Rule, or Order which has already been or hereafter shall be so removed shall bind any Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors, unless and until after such Removal it shall be registered, and, if necessary, re-registered, in like Manner as in order to bind such Purchasers, Mortgagees, or Creditors it must have been if originally entered up in One of the said Superior Courts, or in the said Court of Common Pleas of *Lancaster*, as the Case may be; but from and after the passing of this Act every such Judgment, Rule, or Order so registered, and where necessary re-registered, shall be binding in like Manner, but not further

further or otherwise, as other Judgments, Rules, or Orders of the said Superior Courts or of the said Court of Common Pleas of *Lancaster* respectively, and the Proviso at the End of the said Section XXII. restricting the Operation of the same is hereby repealed.

VIII. Nothing herein contained shall extend to revive or restore any Judgment which shall be extinguished or barred, or to affect or prejudice any such Judgment, or any Decree, Order, or Rule, as between the Parties thereto, or their Representatives, or those deriving as Volunteers under them.

Extinguished Judgments not revived.

IX. For the Purposes of any Registration or Re-registration to be made in pursuance of this Act in either of the said Counties Palatine, all such Acts and Things as under the Provisions of the said several Acts of the Reign of Her Majesty ought to be done by or left with the Senior Master of the Court of Common Pleas at *Westminster* shall be done by or left with the Prothonotary or Deputy Prothonotary of the Court of Common Pleas of the County Palatine of *Lancaster*, or of the Court of Pleas of the County Palatine of *Durham*, as the Case may require, or such other Officer (if any) of the same Courts respectively as may for the Time being have been appointed by the same Courts respectively, for the Purpose of entering the Judgments thereof respectively, under the Provisions of the said Act of the First and Second Years of Her Majesty; and the said Prothonotary, Deputy Prothonotary, or other Officer as aforesaid, shall be entitled to the Sum of Two Shillings and Sixpence, and no more, for the Duties to be performed on every Registration, and the Sum of One Shilling only for Re-registration; and all Persons shall be at liberty to search all or any of the Books kept in pursuance of any of the foregoing Provisions of this Act in each Court, for the Sum of One Shilling.

Duties of Prothonotary.

Fees for Registration and Searches.

X. And whereas by the Section numbered CXXIII. of the Bankrupt Law Consolidation Act, 1849, when any Person admits (in manner therein mentioned) that he is indebted to a Bankrupt, it is enacted that every Order of the Court of Bankruptcy for the Payment by such Person of the Amount so admitted, and Costs (if any), shall have the Effect of a Judgment in the said Superior Courts, and may be enforced accordingly, and by the Section numbered CCXLIX. of the same Act it is enacted that the said Court may in all Matters before it award Costs, and that the like Remedies may be had upon an Order of the said Court for Costs as upon a Rule of any of the said Superior Courts for Costs, but the said Act does not direct the Registration of any such Order as aforesaid: Be it therefore enacted as follows: No such Order of the Court

No Order of Court of Bankruptcy to affect Lands, &c. until registered.

Court of Bankruptcy for Payment of Money or of Costs as aforesaid shall affect any Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors, unless and until it shall be registered, and if necessary re-registered, in like Manner as in order to bind such Purchasers, Mortgagees, or Creditors it must have been if it had originally been a Judgment or Rule obtained or entered up in One of the said Superior Courts or in the said Palatine Courts respectively, any Notice of any such Order to any such Purchaser, Mortgagee, or Creditor in anywise notwithstanding.

Legal Estate vested in Purchaser or Mortgagee not to be taken in execution.

XI. And whereas great Delay and Expense are occasioned upon Purchases and Mortgages of Lands in consequence of Judgments against Mortgagees and Crown Debts and Liabilities to the Crown of Mortgagees continuing to bind Lands, although the Mortgagees have been *bonâ fide* paid off, and the Lands have been actually conveyed to Purchasers, or to other Mortgagees: For Remedy whereof, be it enacted as follows: Where any legal or equitable Estate or Interest or any disposing Power in or over any Lands, Tenements, or Hereditaments shall, under any Conveyance or other Instrument executed after the passing of this Act, become vested in any Person as a Purchaser or Mortgagee for valuable Consideration, such Lands, Tenements, or Hereditaments shall not be taken in execution under any Writ of Elegit, or other Writ of Execution, to be sued upon any Judgment, or any Decree, Order, or Rule against any Mortgagee or Mortgagees thereof, who shall have been paid off prior to or at the Time of the Execution of such Conveyance, nor shall any such Judgment, Decree, Order, or Rule, or the Money thereby secured, be a Charge upon such Lands, Tenements, or Hereditaments so vested in Purchasers or Mortgagees, nor shall such Lands, Tenements, or Hereditaments so vested in Purchasers or Mortgagees be extended or taken in execution, or rendered liable under any Writ of Extent or Writ of Execution or other Process issued by or on behalf of Her Majesty, Her Heirs or Successors, in respect of any Judgment, Statute, or Recognizance obtained against or entered into by, or Inquisition found against, or Obligation or Specialty made by, or Acceptance of Office by any Mortgagee or Mortgagees, whereby he or they hath or have become or shall become a Debtor or Accountant, or Debtors or Accountants to the Crown, where such Mortgagee or Mortgagees shall have been paid off prior to or at the Time of the Execution of such Conveyance as aforesaid.

Life Annuities and Rentcharges not to affect Lands as to Purchasers,

XII. And whereas by reason of the Repeal in the last Session of Parliament of the Act of the Fifty-third Year of King *George* the Third, Chapter One hundred and forty-one, requiring the Enrolment of Life Annuities or Rentcharges, Purchasers are no longer enabled

to

to ascertain by Search what Life Annuities or Rentcharges may have been granted by their Vendors or others: Be it therefore enacted by the Authority aforesaid as follows: Any Annuity or Rentcharge granted after the passing of this Act, otherwise than by Marriage Settlement, for One or more Life or Lives, or for any Term of Years or greater Estate determinable on One or more Life or Lives, shall not affect any Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors, unless and until a Memorandum or Minute containing the Name, and the usual or last known Place of Abode, and the Title, Trade, or Profession of the Person whose Estate is intended to be affected thereby, and the Date of the Deed, Bond, Instrument, or Assurance whereby the Annuity or Rentcharge is granted, and the annual Sum or Sums to be paid, shall be left with the Senior Master of the Court of Common Pleas at *Westminster*, who shall forthwith enter the Particulars aforesaid in a Book in alphabetical Order by the Name of the Person whose Estate is intended to be affected by the Annuity or Rentcharge, together with the Year and the Day of the Month when every such Memorandum or Minute is so left with him, and he shall be entitled for every such Entry to the Sum of Two Shillings and Sixpence, and all Persons shall be at liberty to search the same Book, together with the other Books or Registers in the Office, on Payment of the Sum of One Shilling.

&c. until Memorandum left with Senior Master.

XIII. The Searches of the several Registers, by the said recited Acts or by this Act authorized to be made for the Sum of One Shilling, may be made by the Parties themselves, under proper Regulations in the Office, and the Sum of One Shilling only shall be payable on One Search, although more Names than One shall be searched for where such Names relate to the same Purchase, Mortgage, or other Transaction.

Searches may be made by Parties themselves.

XIV. The Provisions of this Act shall not extend to require the Registry of Annuities or Rentcharges given by Will.

Annuities &c. given by Will excepted from Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XVI.

An Act to authorize the letting Parts of the Royal Forests of *Dean* and *Woolmer*, and certain other Parts of the Hereditary Possessions of the Crown. [26th *April* 1855.]

WHEREAS the Powers of leasing given by an Act of Parliament passed in the Tenth Year of His late Majesty King *George* the Fourth, Chapter Fifty, are by such Act declared not to extend to the leasing of any Part of the Royal Forests, Parks, or Chases in *England*, and by an Act of Parliament passed in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Seventy-six, the Powers of leasing given by the said Act of the Tenth *George* the Fourth, Chapter Fifty, were extended to certain Parts of the *New Forest*, and it is expedient that such Powers of leasing should be extended to Parts of the Royal Forests of *Dean* and *Woolmer*, and certain other Parts of the Hereditary Possessions of the Crown: Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Powers of leasing given by the said Act of the Tenth *George* the Fourth, Chapter Fifty, shall henceforth extend to enable the

Powers of leasing given by the

10 G. 4. c. 50. extended to certain Parts of the Royal Forests of Dean and Woolmer.

the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, on behalf of Her Majesty, to lease all or any Parts of the Royal Forest of *Dean* in the County of *Gloucester*, and of the Royal Forest of *Woolmer* in the County of *Southampton*, the Soil and Freehold of which now are or hereafter may be permanently vested in Her Majesty, Her Heirs and Successors, discharged of all Common and other Rights of the Subject in and over the same: Provided always, that such Power shall not extend to any Portion of the Land of the said Forests for the Time being inclosed under the Authority of any Acts or Act for the Growth of Timber or other Trees.

Power of leasing extended to certain other Parts of the Hereditary Possessions of the Crown.

II. The Powers of leasing herein-before given shall extend to all Hereditaments which were or are Part of the several Royal Forests, or late Royal Forests, mentioned in the Acts set forth in the Schedule to this Act, and which now are or hereafter may be permanently vested in Her Majesty, Her Heirs and Successors, discharged of all Common or other Rights of the Subject in and over the same, and which Hereditaments may not for the Time being be appropriated by or on behalf of the Crown for the Growth of Timber, or, if so appropriated, the said Powers shall also extend to any Rights of Sporting or other Rights which may in the Judgment of the said Commissioners be properly exercised over the same Hereditaments.

Powers may be exercised by those to whom the Management of the Premises is assigned.

III. The Powers hereby given may be exercised by the Commissioner or Commissioners or other Officer or Officers for the Time being of Her Majesty to or in whom the Management of the said Forests of *Dean* and *Woolmer* and other the Hereditaments hereby authorized to be leased is now or may hereafter be assigned or vested.

The SCHEDULE.

An Act for disafforesting the Forest of South otherwise East Bere otherwise Bier in the County of Southampton, and for inclosing the Open Commonable Lands within the said Forest. 50 G. 3. c. 218.

An Act for the better Cultivation of Navy Timber in the Forest of Alice Holt in the County of Southampton. 52 G. 3. c. 72.

An Act for inclosing the Forest of Delamere in the County of Chester. 52 G. 3. c. 136.

An Act for disafforesting the Forest of Parkhurst in the County of Southampton, and for inclosing the Open Commonable Lands within the said Forest. 52 G. 3. c. 171.

An Act for dividing, allotting, and inclosing that Portion of the Forest of Whittlewood called Hayleborough Walk in the Parish of Whitfield and Liberties or Precincts of Silston otherwise Silverston otherwise Silveston Burnham in the County of Northampton, and of the Open Fields of Silston otherwise Silverston otherwise Silveston Burnham aforesaid. 5 G. 4. c. 99.

An Act for dividing, allotting, and inclosing the Forest of Salcey in the Counties of Northampton and Buckingham, and of certain Lands in the Parish of Hartwell in the said County of Northampton. 6 G. 4. c. 132.

LONDON:
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Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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hundred thousand Pounds at the Expiration of Six Months after Payment of the First Sum; and Her *Britannic* Majesty engages further to recommend to Her Parliament to enable Her, if the War should not have been brought to a Close at the Expiration of Twelve Months after Payment of the First Instalment of the above-mentioned Loan, to advance to His Majesty the King of *Sardinia* in the same Proportions a like Sum of One million Pounds Sterling.

ARTICLE II. The Interest to be paid upon the said Loan or Loans by the *Sardinian* Government shall be at the Rate of Four *per Cent. per Annum*, of which One *per Cent. per Annum* shall be for a Sinking Fund:

The said Interest shall be calculated from the Days on which the Payments on account of the Loan or Loans shall be made, and shall be payable half-yearly, the First Payment to be made within Fifteen Days after the Expiration of Six Months from the Payment of the First Instalment of the Loan, and so on successively.

ARTICLE III. Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* will undertake gratuitously the Transport of the *Sardinian* Troops.

And whereas the said Supplementary Convention has been ratified between Her Majesty and the King of *Sardinia:* And whereas, in pursuance of Her Majesty's gracious Recommendation in this Behalf, it is expedient that Her Majesty should be enabled to carry into effect the said Supplementary Convention with the King of *Sardinia:* Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Treasury to direct Sums required for the Loan or Loans to Sardinia to be issued out of the Consolidated Fund.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to direct and cause to be issued to Her Majesty's Paymaster-General from Time to Time out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, such Sums of Money as shall be required for the Advance to His Majesty the King of *Sardinia* of the said Loan of One million Pounds Sterling, and (if the War shall not have been brought to a Close as in the said Supplementary Convention mentioned) of the said further Loan of One million Pounds Sterling, by the several Instalments and at the Times provided by the said Supplementary Convention, conformably to Her Majesty's Engagements in this Behalf.

II. The

Convention with Sardinia.

II. The Commissioners of Her Majesty's Treasury shall cause such Sums as shall be from Time to Time paid by the *Sardinian* Government as Interest and Sinking Fund in respect of the said Loan or Loans to be carried to and form Part of the said Consolidated Fund.

Sums repaid as Interest and Sinking Fund to be carried to the Consolidated Fund.

III. The said Commissioners of the Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within Twenty Days after the First Meeting of Parliament after the First Day of *January* in every Year, an Account, up to the Thirty-first Day of *December* then next preceding, of the total Sums which shall from Time to Time have been issued by virtue of this Act in respect of the said Loan or Loans, and also of the Sums from Time to Time received from the *Sardinian* Government for Interest and Sinking Fund in respect thereof, and such Account shall specify how much of such Loan or Loans has been discharged, and how much remains to be discharged.

Annual Account to be laid before Parliament.

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ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

CAP. XVIII.

An Act for raising the Sum of Sixteen Millions by way of Annuities. [5th *May* 1855.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, being desirous to raise the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved, That the Sum of Sixteen Millions be raised by Annuities in manner herein-after mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Every Contributor towards raising the said Sum of Sixteen Millions shall for every One hundred Pounds contributed and paid be entitled to the Principal Sum of One hundred Pounds in Consolidated Annuities, after the Rate of Three Pounds *per Centum*, to commence from the Fifth Day of *January* One thousand eight hundred and fifty-five, and shall also be entitled to a further Annuity of Fourteen Shillings and Sixpence for a Term of Thirty Years, to commence

Contributors entitled to 100*l.* in the Three per Cent. Consols, and to an Annuity of 14*s.* 6*d.* for 30 Years.

mence from the Fifth Day of *April* One thousand eight hundred and fifty-five.

Contributors who have made Deposits to pay the Remainder of Subscriptions by Instalments.

II. And whereas, pursuant to and upon the Terms and Conditions expressed in the said Resolution, several Persons have, in Books opened at the Bank of *England* for that Purpose, subscribed together the whole of the said Sum of Sixteen Millions to be raised by Annuities, and made Deposits of Ten Pounds *per Centum* on the respective Sums by them so subscribed to the said Sum of Sixteen Millions to be raised by Annuities with the Cashiers of the Governor and Company of the Bank of *England:*

It shall and may be lawful to and for such Contributors who have made such Deposits with the Cashier or Cashiers of the Governor and Company of the Bank of *England* (which Cashier or Cashiers is and are hereby appointed the Receiver and Receivers of such Contributions, without any other Warrant to be had in that Behalf,) to advance and pay unto the said Cashier or Cashiers of the Governor and Company of the Bank of *England* the several Remainders of the Sums by them respectively subscribed towards the said Sum of Sixteen Millions, at or before the respective Days and Times and in the Proportions herein-after limited and appointed in that Behalf; (that is to say,) the further Sum of Fifteen Pounds *per Centum* on or before the Twenty-second Day of *May* One thousand eight hundred and fifty-five; the further Sum of Ten Pounds *per Centum* on or before the Nineteenth Day of *June* then next following; the further Sum of Fifteen Pounds *per Centum* on or before the Seventeenth Day of *July* then next following; the further Sum of Ten Pounds *per Centum* on or before the Twenty-first Day of *August* then next following; the further Sum of Ten Pounds *per Centum* on or before the Eighteenth Day of *September* then next following; the further Sum of Ten Pounds *per Centum* on or before the Sixteenth Day of *October* then next following; the further Sum of Ten Pounds *per Centum* on or before the Twentieth Day of *November* then next following; and the remaining Sum of Ten Pounds *per Centum* on or before the Eighteenth Day of *December* then next following.

Power to Guardians, &c. to subscribe for Infants.

III. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing the said Sum of Sixteen Millions to be raised by Annuities in manner aforesaid, and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof, in such and the like Manner as any other

other Contributor; and the said Guardian and Trustee as to the said Sum or Sums so advanced is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

Contributors entitled to certain Annuities payable half yearly.

IV. The several Subscribers or Contributors, their Executors, Administrators, Successors, and Assigns, in respect of the said Sum of Sixteen Millions, shall be entitled, for every One hundred Pounds by him, her, or them respectively advanced and paid, to an Annuity after the Rate of Three Pounds *per Centum*, to commence from the Fifth Day of *January* One thousand eight hundred and fifty-five, until Redemption by Parliament in manner herein-after mentioned, and also to an Annuity of Fourteen Shillings and Sixpence for the Term of Thirty Years from the Fifth Day of *April* One thousand eight hundred and fifty-five, and no longer, which said respective Annuities shall be payable and paid half-yearly by even and equal Portions; that is to say, the said Annuity after the Rate of Three Pounds *per Centum* on the Fifth Day of *July* and the Fifth Day of *January* in every Year, and the said Annuity of Fourteen Shillings and Sixpence on the Fifth Day of *April* and Tenth Day of *October* in every Year, the first Payment of each of the said Annuities to be due on the Days herein-after appointed for that Purpose.

Time at which Stock may be transferred.

V. As soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the Deposit of Ten *per Centum*, have made Payment of any subsequent Instalment payable by them respectively on the Day specified in this Act towards the said Sum of Sixteen Millions, such Contributors may have a proportional Amount of Stock in Consolidated Three Pounds *per Centum* Annuities, and of the said Terminable Annuity in respect of such Instalment, forthwith placed in the Books of the Bank of *England* to the Credit of such respective Contributors, their Executors, Administrators, Successors, and Assigns; and on Payment of the last Instalment, such Contributors, their Executors, Administrators, Successors, and Assigns, shall have a proportional Amount of like Stock and of the said Terminable Annuity placed to their respective Credits, corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Consolidated Annuities and Terminable Annuity, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall and may have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate, whatsoever, in the Books of the Bank of *England*; and the said Governor and Company of the Bank of

England

England are hereby required, as soon as conveniently may be after the passing of this Act, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Principal Sums so paid by them respectively; and such Stock shall carry the Annuities after the Rate of Three Pounds *per Centum per Annum*, to be payable under this Act, until Redemption thereof in such Manner as is herein-after mentioned, and, together with the said Terminable Annuities created under this Act, shall be transferable as this Act directs, and not otherwise.

Contributors may anticipate Payments.

VI. All and every such Contributor or Contributors, his, her, or their Executors, Administrators, Successors, and Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of his, her, or their Contribution Money, or any Part thereof, in anticipation of the said Instalments or any of them, shall be entitled to have forthwith inscribed into his, her, or their Names the whole or such proportional Amount of the said Three Pounds *per Centum* Annuities, and of the said Terminable Annuity; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Commencement of Dividends.

VII. The First Half Year's Payment of the said Annuity after the Rate of Three Pounds *per Centum* shall be due on the Fifth Day of *July* One thousand eight hundred and fifty-five on all Sums of Three Pounds *per Centum* Annuities written into the Books of the Bank of *England*, under the Authority of this Act, not later than the preceding Twenty-fifth Day of *June*, and the First Half Year's Payment of the said Terminable Annuity shall be due on the Tenth Day of *October* One thousand eight hundred and fifty-five in respect of every such Terminable Annuity written into the Books of the Bank of *England* not later than the Twenty-fifth Day of *September* preceding; and in respect of all Sums of Three Pounds *per Centum* Annuities written into the said Books as aforesaid after the said Twenty-fifth Day of *June* One thousand eight hundred and fifty-five One Year's Annuity shall be due on the Fifth Day of *January* One thousand eight hundred and fifty-six, and in respect of every such Terminable Annuity so written in after the Twenty-fifth Day of *September* One Year's Annuity shall be due on the Fifth Day of *April* One thousand eight hundred and fifty-six.

Annuities payable and transferable at the Bank.

VIII. All the Annuities aforesaid shall be payable and paid and be transferable at the Bank of *England*; and the Three *per Centum* Annuities aforesaid shall be subject to such Redemption as is herein-after mentioned.

IX. So

Loan.

IX. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the said Cashier or Cashiers of the Governor and Company of the Bank of *England*, as shall be sufficient to satisfy and pay the respective Annuities to be created in respect of the said Sum of Sixteen Millions, together with the Charges attending the same.

Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges in respect of 16,000,000*l.*,

X. All the said Annuities, Interest, and Dividends which shall become payable in respect of the said Sum of Sixteen Millions shall be charged and chargeable upon, and are hereby charged upon and made payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

and shall be charged upon the said Fund.

XI. For the more easy and sure Payment of all the Annuities established by this Act, the said Governor and Company of the Bank of *England*, and their Successors, shall from Time to Time, until all the said Annuities shall be redeemed, or shall cease, appoint and employ One or more sufficient Person or Persons within their Office in the City of *London* to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office to be their Accountant General; and so much of the Monies by this Act appropriated for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and other Payments herein directed to be made out of the said Monies, in respect of the said Sum of Sixteen Millions, shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Annuities in respect of the said Sum of Sixteen Millions payable by virtue of this Act; and such Cashier or Cashiers, to whom the said Money shall from Time to Time be issued, shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer; and the said Accountant General for the Time being shall, from Time to Time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

The Bank to appoint a Cashier and an Accountant General, and the Treasury to order Money to be issued to the Cashier for Payment of Annuities.

XII. The Cashier or Cashiers of the Governor and Company of the Bank of *England* who shall have received or shall receive any Part of the said Contributions towards the said Sum of Sixteen

Cashier to give Receipt for Subscriptions, which

may be assigned before 18th December 1855.

Cashier to give Security for paying the Money he receives into the Exchequer.

Millions, shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums; and the Receipts so to be given shall be assignable at any Time before the Eighteenth Day of *December* One thousand eight hundred and fifty-five, and no longer: Provided always, that such Cashier or Cashiers shall give Security to the good liking of any Two or more of the Commissioners of Her Majesty's Treasury, for duly answering and paying into the Receipt of the Exchequer as after mentioned, for the Public Use, all the Monies which he or they has or have already received, and shall hereafter receive from Time to Time, of and for the whole of the said Sum of Sixteen Millions, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same, or any Part thereof, or within Five Days afterwards at the farthest, into, and shall account for the same in the Exchequer, according to the due Course thereof, deducting thereout such Sums as shall have been paid by him or them in pursuance of this Act, for which Sums so paid Allowance shall be made in his or their Accounts.

A Book to be kept in the Accountant General's Office for entering Contributors Names, a Duplicate whereof to be transmitted to the Exchequer.

XIII. In the Office of the Accountant General of the Governor and Company of the Bank of *England* for the Time being, a Book or Books shall be provided and kept, in which the Names of the Contributors shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may from Time to Time, and at all seasonable Times, resort to and inspect without any Fee or Charge; and the said Accountant General shall, on or before the Fifth Day of *July* One thousand eight hundred and fifty-six, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books into the Office of the Receipt of the Exchequer, there to remain for ever.

Subscriptions paid in Part and not completed, forfeited

XIV. In case any such Contributors who have already deposited with or shall hereafter pay to the said Cashier or Cashiers any Sum or Sums of Money at the Time and in the Manner hereinbefore mentioned, in Part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums so subscribed at the Times and in the Manner before mentioned, then and in every such Case the aforesaid Deposit of Ten Pounds *per Centum* shall be forfeited for the Benefit of the Public, and all Right and Title to the said Ten Pounds *per Centum* Deposit, and to the Annuities in respect thereof, shall be extinguished; anything in this Act contained to the contrary thereof in anywise notwithstanding.

XV. All

Loan.

XV. All Persons and Corporations who shall be entitled to any of the Annuities hereby granted in respect of the said Sum of Sixteen Millions, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute, or Custom to the contrary notwithstanding.

Annuities to be deemed Personal Estate.

XVI. It shall be lawful for the Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as have been or shall be so paid into the Receipt of Her Majesty's Exchequer by the said Cashier or Cashiers, in respect of the said Sum of Sixteen Millions, to such Services as are now charged on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or shall be charged thereon by any Act that may be passed hereafter.

Power to Treasury to apply the Money paid into the Exchequer.

XVII. Books shall be constantly kept by the said Accountant General for the Time being, wherein all Assignments or Transfers of all Sums of Stock in the Consolidated Three Pounds *per Centum* Annuities created under this Act, and of the said Terminable Annuities, shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if such Parties be absent, by their respective Attorney or Attornies thereunto lawfully authorized in Writing under his or their Hand and Seal, or Hands and Seals, to be attested by Two or more credible Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof, and no other Method of assigning and transferring the said Stock or Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

Accountant General to keep Books for entering Transfers.

Transfers not liable to Stamp Duties.

XVIII. Out of the Monies arising from the Contributions towards raising the said Sum of Sixteen Millions by Annuities, the Commissioners of Her Majesty's Treasury shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable.

Treasury to defray Incidents.

XIX. It shall be lawful to and for the Governor and Company of the Bank of *England* to retain out of the said Contributions at the Rate of Three hundred Pounds for every Million thereof as an Allowance for the Service, Pains, and Labour of the said

Allowance for the Expense of Management.

said Cashier or Cashiers employed in receiving, paying, and accounting for the same; and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this Act, which Allowance, in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company, shall be for the Use of the said Governor and Company, and at their Disposal only.

Three per Cent. Annuities created by this Act to be added to the Joint Stock of the Three per Cent. Consols.

XX. All the Annuities after the Rate of Three Pounds *per Centum per Annum* to which any Person or Persons shall become entitled by virtue of this Act, in respect of any Sum advanced or contributed towards the said Sum of Sixteen Millions, shall be added to the Joint Stock of Annuities transferable at the Bank of *England*, into which the several Sums carrying an Interest after the Rate of Three Pounds *per Centum per Annum* were by several Acts made in the Twenty-fifth, Twenty-eighth, Twenty-ninth, Thirty-second, and Thirty-third Years of the Reign of His late Majesty King *George* the Second, and by several subsequent Acts consolidated, and shall be deemed Part of the said Joint Stock of Annuities; subject nevertheless to Redemption by Parliament in such Manner and upon such Notice as in the said Act made in the Twenty-fifth Year of His said late Majesty's Reign is directed in respect of the several and respective Annuities redeemable by virtue of the said Act; and all and every Person and Persons and Corporation whatsoever, in proportion to the Money to which he, she, or they shall become entitled as aforesaid by virtue of this Act, shall have and be deemed to have a proportional Interest and Share in the said Joint Stock of Annuities, at the Rates aforesaid.

Terminable Annuities created by this Act may be transferred to and from England and Ireland.

XXI. The Terminable Annuities granted under the Provisions of this Act shall and may be transferred to and from the Books of the Governor and Company of the Bank of *England* to the Books of the Governor and Company of the Bank of *Ireland*, and *vice versâ*, for the Purpose of having corresponding Sums in the like Annuities written into the Books of the said respective Banks, in like Manner and under the same Regulations as any other Annuities for Terms of Years or Capital Stock are permitted to be so transferred under and by virtue of an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act to permit the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of* England *and* Ireland *respectively*, and an Act of the Sixth Year of the same Reign, intituled *An Act to provide for the Assimilation of the Currency and Monies of Account throughout the United Kingdom of* Great Britain *and* Ireland.

5 G. 4. c. 53.

6 G. 4. c. 79.

XXII. For

Loan.

XXII. For the Purpose of the Extinction of a Portion of the Funded Debt of *Great Britain* and *Ireland* equal to the Amount to be added to the said joint Stock as aforesaid, there shall be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, to the Commissioners for the Reduction of the National Debt, in the financial Year commencing on the First Day of *April* which shall first happen Twelve Months after the Ratification of a definitive Treaty of Peace with *Russia*, and in every subsequent Year until such Portion of the said Funded Debt is extinguished by means of the Monies to be issued to the said Commissioners under this Enactment, the Sum of One million Pounds: Provided that in case, in the last Year in which such Sum would be payable, the Sum necessary for purchasing the remaining Portion of the said Portion of such Funded Debt be less than One million Pounds, then so much only of such Sum as may be necessary for that Purpose shall be issued and paid as aforesaid; and the Sums so to be issued and paid to the Commissioners for the Reduction of the National Debt shall be applied by them from Time to Time in the Purchase of such Funded Debt, in the Manner directed by the Acts for the Reduction of the National Debt, until by means of such Sums a Sum of Sixteen million Pounds of such Funded Debt has been extinguished and cancelled, and all such Funded Debt purchased by the said Commissioners under the Authority of this Act shall from Time to Time be forthwith cancelled and extinguished, and all Dividends in respect thereof shall cease to be payable; and for the Purposes of the Acts for the Reduction of the National Debts, the Sums to be issued and paid to the said Commissioners as aforesaid shall be deemed Part of the Expenditure of the United Kingdom. Sinking Fund.

XXIII. If any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or any Part or Parts of the said Contributions towards the said Sum of Sixteen Millions, either with or without the Name or Names of any Person or Persons being inserted therein, as the Contributor or Contributors thereto, or Payer or Payers thereof, or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as afore- Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.

 said,

said, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall, at the Discretion of the Court, be liable to be transported beyond the Seas for Life or for any Term not less than Fourteen Years, or to be kept in Penal Servitude for Life or for any Term not less than Four Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Four Years nor less than Two Years.

Bank to continue a Corporation till the Annuities hereby granted shall be redeemed, or shall cease.

XXIV. The said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Consolidated Three Pounds *per Centum* Annuities by this Act granted shall be redeemed by Parliament as aforesaid, and the Terminable Annuities by this Act granted shall cease; and the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

No Fee to be taken for receiving Contributions or paying or transferring Annuities, on Penalty of 20*l*.

XXV. No Fee, Reward, or Gratuity whatsoever shall be demanded or taken of any of Her Majesty's Subjects for receiving or paying the said Subscription or Contribution Monies or any of them, or for any Receipt concerning the same, or for paying the said Annuities or any of them, or for any Transfer of any Sum, great or small, to be made in pursuance of this Act, upon pain that any Officer or Person offending by taking or demanding any such Fee, Reward, or Gratuity shall for every such Offence forfeit the Sum of Twenty Pounds to the Party aggrieved, with full Costs of Suit, to be recovered in any of Her Majesty's Superior Courts of Law at *Westminster*.

Persons sued may plead the General Issue.

XXVI. If any Person or Persons shall be sued, molested, or prosecuted for anything done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Prosecution, or be nonsuited, or Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have full Costs awarded to him, her, or them, against any such Plaintiff or Plaintiffs.

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ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XIX.

An Act to remove Doubts as to the Commissions of Officers of Militia in *Ireland* who have omitted to deliver unto the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission, and to amend the Law relating to the Militia in *Ireland*. [25th *May* 1855.]

WHEREAS, by an Act of the Forty-ninth Year of King *George* the Third, Chapter One hundred and twenty, it was enacted, that no Person should thereafter be appointed to any Commission in the Militia of *Ireland* who should require a Qualification in respect of Property by virtue of the said Act until he should have delivered unto the Clerk of the Peace of the County or City for which he should be appointed, or, in the Absence of such Clerk of the Peace, to his Deputy, a specific Description in Writing signed by himself of his Qualification, stating the Particulars of such Qualification; and that no Commission to be granted by virtue of the said Act should be valid unless it was declared in such Commission that the Officer to whom such Commission was given had delivered in his Qualification as directed: And whereas Persons have in many Instances been appointed to and have acted under Commissions in the Militia in *Ireland* requiring Qualifications in respect of Property, without having previously delivered the Particulars of their Qualifications, as required by the said Act: And whereas Doubts have been raised as to the Validity of such Commissions, and of the Acts done by the Persons thereby appointed: 49 G. 3. c. 120.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Officers of Militia acting under certain Commissions indemnified, on depositing their Qualifications within Three Months.

I. Every Person who before the passing of this Act hath been appointed an Officer in the Militia of *Ireland* by any such Commission, and who was at the Time of the issuing of such Commission seised or possessed of the necessary Qualification, or who has since acquired and now is seised or possessed of the necessary Qualification, and has since the issuing of such Commission delivered or shall within Three Months after the passing of this Act deliver to such Clerk of the Peace or his Deputy of such County or City the specific Description of his Qualification which he possessed when such Commission was issued, or which he may now possess, shall be indemnified, freed, and discharged from and against all Penalties and Forfeitures incurred or to be incurred for or by reason of previous Neglect or Omission to deliver in such Qualification at the Time required by Law, or for or by reason of his having executed any of the Powers by the said Act directed to be exercised by Colonels, Lieutenant Colonels, Majors, Captains, Lieutenants, or Ensigns without being qualified as required by the said recited Act, or without having delivered in such specific Description of his Qualification; and every such Person is and shall be deemed and adjudged to be and to have been duly qualified to hold such Commission according to the said Act of the Forty-ninth of *George* the Third, Chapter One hundred and twenty, or any Act now in force relating to such Qualification; and all Acts done or to be done by any such Person, or by Authority derived from him, under such Commission, are and shall be of the same Force and Validity as the same or any of them would have been if such specific Description of such Qualification in respect of Property had been duly delivered as directed by the said Act, and all the Provisions relating thereto had been complied with.

Proviso for Officers below the Rank of Captain whose Commissions may have been granted when the Law required from them Property Qualification.

II. Provided always, That it shall not be necessary for any Officer now holding a Commission in any Regiment of Militia in *Ireland* under the Rank of Captain to deliver in such Qualification to the Clerk of the Peace, although his Commission may have been issued when the Law required him to be qualified in respect of Property; and notwithstanding any such Neglect as aforesaid on the Part of such Officer under the Rank of Captain to deliver in such Qualification at or previous to the Time of issuing such Commission, his Commission shall to all Intents and Purposes be and be deemed to have been as valid, and all Acts done thereunder of the same Force and Effect, and such Officer shall be freed from all Penalties and Forfeitures, as fully as if no such Neglect or Omission had happened.

Not to indemnify Persons against whom final

III. Provided always, That this Act shall not extend to indemnify any Person against whom final Judgment shall have been given for any Penalty before the passing of this Act, or to exempt any Person holding

holding a Commission of Captain or any higher Rank in the said Militia from the Penalties to which he shall or may be subject for acting as such Captain or Officer of higher Rank in the said Militia, without being possessed of the Property Qualification required by Law.

Judgment has been obtained before passing of this Act, &c.

IV. Every Lieutenant of a County in *Ireland* or Colonel commanding a Battalion of Militia in *Ireland*, as the Case may be, who after the passing of this Act appoints any Person to be an Officer of the Militia of any Rank whereunto a Qualification in respect of Property is now required, shall, before transmitting the Name of such Officer to the Lord Lieutenant for Approval, require from the Clerk of the Peace or his Deputy a Certificate that the necessary Description in Writing of Qualification has been lodged with him by such Officer, and when he transmits for Approval to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being the Name and Rank of the Officer so to be appointed shall state to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being that he has received from the Clerk of the Peace or his Deputy such Certificate.

Lieutenants of Counties and Colonels to send with the Certificates of Appointments of Officers the Description of their Qualifications.

V. In case any Action, Suit, or other Proceeding shall be instituted to recover any Penalty imposed by the Nineteenth Section of the said recited Act, the Defendant in such Action, Suit, or other Proceeding shall be entitled, at any Time before pleading or filing his Defence, to require the Plaintiff to give Security for Costs, and to have the Proceedings stayed until such Security for Costs shall have been given.

In Actions for Penalties under 49G.3.c.120. s. 19. Security for Costs to be given.

VI. And whereas by the said Act of the Forty-ninth of *George* the Third, Chapter One hundred and twenty, it is enacted, that it shall and may be lawful for His Majesty, His Heirs and Successors, from Time to Time, as He or they shall think fit, to signify His or their Pleasure to the Colonel or other Commanding Officer of any such Regiment or Battalion of Militia to displace all or any Officers or Officer of Militia serving under him in such Regiment or Battalion: And whereas under the said Act the Colonels of Militia in *Ireland* were appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and the Power of Removal was vested in such Lord Lieutenant or other Chief Governor or Governors: And whereas by an Act of the Session holden in the First and Second Years of King *William* the Fourth, Chapter Seventeen, the Power of appointing the Colonels of Militia was transferred from the Lord Lieutenant or other Chief Governor or Governors to the Lieutenants of Counties, and the Power of appointing inferior Officers was transferred from the Colonels to such Lieutenants of Counties, subject to a Proviso, saving to Colonels of Militia acting under Commissions granted before the passing of the said Act of their Power to appoint Lieutenant Colonels and other Officers of their Regiments and Battalions; but no Provision was made as to the displacing of the Officers of the Militia corresponding with the Alteration in the Powers

Her Majesty or Lord Lieutenant of Ireland may direct Lieutenants of Counties to displace Officers of Militia.

Powers of appointing them: It shall be lawful for Her Majesty, Her Heirs or Successors, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time as they respectively may think fit, to signify Her, their, or his Pleasure to the Lieutenant of any County or Place to displace all or any of the Officers in the Militia of such County or Place, and thereupon such Officers shall be displaced, and others shall be appointed in their Stead.

Recovery of Penalties. 17 & 18 Vict. c. 107. s. 32. repealed.

VII. The Thirty-second Section of the Militia (*Ireland*) Act, 1854, shall be and the same is hereby repealed; and all Offences for which any pecuniary Penalty or Forfeiture is by the said Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *Ireland* under the Provisions of an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her present Majesty, intituled "The Petty Sessions (*Ireland*) Act, 1851."

Adjutants of Militia Regiments who have served as Non-commissioned Officers to be eligible to Brevet Rank of Captain.

VIII. And whereas by the said Act of the Forty-ninth Year of King *George* the Third, Chapter One hundred and twenty, it is provided that no such Appointment of an Adjutant of Militia to the Brevet Rank of Captain as therein mentioned shall be valid, unless in the Instrument granting the same it be specified in what Regiment or Battalion, and whether of the Militia or of Her Majesty's other Forces, such Adjutant hath served, and what was or were the Date or Dates of his Commission or Commissions: And whereas it is expedient that Adjutants who have served as Non-commissioned Officers in Her Majesty's Regular Forces should be eligible to the Brevet Rank of Captain, although they may not have held any Commissions: Be it enacted, That it shall be lawful for the Adjutant of any Regiment or Corps of Militia in *Ireland* who shall have served as a Non-commissioned Officer in Her Majesty's Regular Forces, and whose whole Service shall amount to Five Years, to be appointed by the Lieutenant of the County to which such Regiment or Corps belongs (or by the Colonel thereof appointed previously to the Twenty-third Day of *August* One thousand eight hundred and thirty-one), with the Approval of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to the Brevet Rank of Captain, notwithstanding that he may not have held any Commission other than his Commission as an Adjutant of Militia.

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four, for and in respect of all Property, Profits, and Gains chargeable under the several Acts in force relating to the Income Tax, either by Assessment or under any Contract of Composition or otherwise, the additional Rate and Duty of Twopence for every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains respectively.

All Relief, Abatement, and Deduction to be proportionate to the increased Rate of Duty granted by this Act.

II. Provided always, That where under the said several Acts in force any less Rate or Duty than One Shilling and Twopence for every Twenty Shillings of the annual Value or Amount of any Property, Profits, or Gains is now chargeable, or any Relief, or Abatement, or Deduction is directed to be given, made, or allowed after any Rate in such Act or Acts specified, then and in every such Case such Rate of Duty, Relief, Abatement, and Deduction to be charged, given, made, and allowed respectively under this Act and the several Acts aforesaid shall bear the same Proportion to One Shilling and Fourpence for every Twenty Shillings as the Rate of Duty, Relief, Abatement, and Deduction respectively, now chargeable or directed to be given, made, or allowed as aforesaid, in the like Cases respectively bears to One Shilling and Twopence for every Twenty Shillings: Provided nevertheless, that any Person entitled to Relief under the said Acts and this Act, on the Ground that his total Income, although amounting to One hundred Pounds or upwards is less than One hundred and fifty Pounds a Year, shall be relieved from so much of the Duties assessed upon or paid by him under or by virtue of the said several Acts and this Act as shall exceed the Rate of Elevenpence Halfpenny for every Twenty Shillings of his Profits or Gains.

Duty to be assessed and raised under the Provisions of recited Acts.

III. The said Duty hereby granted shall be assessed, raised, levied, and collected under the Regulations and Provisions of the several Acts now in force relating to the Income Tax; and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts, and in force with respect to the Duties granted by the said first-mentioned Act, shall (so far as the same are or may be applicable consistently with the express Provisions of this Act) respectively be duly observed, applied, and put in execution for assessing, raising, levying, collecting, receiving, accounting for, and securing the said Duty hereby granted, and otherwise relating thereto, as if the same were particularly repeated and re-enacted, *mutatis mutandis*, in the Body of this Act, with reference to the said Rate and Duty hereby granted.

IV. The

IV. The Duties by this Act and the said Act of the last Session of Parliament respectively granted shall continue in force during the present War and until the Sixth Day of *April* which shall first happen after the Expiration of One Year from the Ratification of a definitive Treaty of Peace, and no longer: Provided always, that if the Period limited by this Act for the Continuance of the said Duties shall expire before the Sixth Day of *April* One thousand eight hundred and sixty, then, on and from and after the Expiration of the said Period, the several Rates and Duties granted by the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, shall revive, and be payable during so much of the respective Terms limited by the said last-mentioned Act as shall be then unexpired.

Continuance of Duties.

V. Provided always, That the said Rates and Duties shall not cease at the Time herein-before appointed in that Behalf with respect to any Assessment which ought before then to have been made, but which shall not have been made and completed, nor with respect to any Duty which shall have been assessed and shall then remain unpaid, nor with respect to any Penalty before then incurred, nor with respect to any Deduction of the said Duty or any Portion thereof authorized by Law to be made out of any Rent, Interest, or other annual Payment, nor with respect to any Penalty for refusing to allow any such Deduction, although such Refusal may be after the Time appointed as aforesaid, nor with respect to the Assessment of the Interest on Exchequer Bills becoming due in the Month of *June* next after the Time appointed for the ceasing of the said Duty, but all the Powers and Provisions of this Act, and of the several Acts herein mentioned or referred to, shall continue in force for making and completing all such Assessments as aforesaid, and for levying and recovering the Duties so assessed or to be assessed, and all Arrears of such Duties, and also for re-assessing the same in default of Payment, and for making and allowing such Deduction as aforesaid, and for the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred.

Continuance of Act for Recovery of Arrears of Duty, &c.

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Customs on Tea, Coffee, Sugar, &c. shall be levied.

instead of the Duties now payable by Law upon the Importation into the United Kingdom of the Articles next herein-after mentioned, the several Duties of Customs following; that is to say, on

	£	s.	d.
TEA.—Until the Fifth Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia - - the lb.	0	1	9

From which last-mentioned Day the Duty shall be regulated in accordance with the Provisions of the Act, Chapter Nine, of the present Session of Parliament.

—	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.			For the following Twelve Months after such 5th Day of April			Thereafter.		
	£	s.	d.	£	s.	d.	£	s.	d.
COFFEE - - the lb.	0	0	4	0	0	3	0	0	3
——— Kiln dried, roasted or ground the lb.	0	0	5	0	0	4	0	0	4
CHICORY, or any other Vegetable Matter applicable to the Use of Chicory or Coffee, roasted or ground - the lb.	0	0	5	0	0	4	0	0	4
SUGAR, viz. :—									
Candy, Brown or White Refined Sugar, or Sugar rendered by any Process equal in Quality thereto - the Cwt.	1	0	0	0	16	8	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, or equal in Quality to Refined - - - the Cwt.	0	17	6	0	14	7	0	11	8
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed-the Cwt.	0	15	0	0	12	9	0	10	6
Brown Muscovado, or any other Sugar not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar the Cwt.	0	13	9	0	11	8	0	9	6
MOLASSES - - - the Cwt.	0	5	4	0	4	6	0	3	9
CONFECTIONERY, Comfits, Cherries dried, Marmalade, Plums preserved in Sugar, Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated - the lb.	0	0	2½	0	0	2	0	0	1½

On and after 20th April 1855 the following Duties of Customs on

II. That in lieu of the Duties of Customs now payable on the Articles under mentioned, imported into *Scotland* or *Ireland*, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, on and after the Twentieth Day of *April* One thousand

thousand eight hundred and fifty-five, the following Duties; that is to say, on

Spirits shall be levied.

SPIRITS:

Not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by Sykes' Hydrometer, for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon; viz.

	£	s.	d.
——— Of and from a British Possession in America or the Island of Mauritius, and Rum of and from any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act, Fourth Victoria, Chapter Eight, have or shall have been fulfilled:—			
If imported into Scotland - - - the Gallon	0	8	2
If imported into Ireland - - - the Gallon	0	6	4
——— Rum Shrub, Cordials, and Liqueurs of and from a British Possession in America or the Island of Mauritius, or a British Possession within the Limits of the East India Company's Charter qualified as aforesaid:—			
If imported into Scotland - - the Gallon	0	8	2
If imported into Ireland - - - the Gallon	0	6	4

On and after 19th May 1855 the following Drawbacks on Sugar shall be allowed.

III. That in lieu of the Bounties and Drawbacks now payable on the Exportation of Refined Sugar, the following Drawbacks shall be allowed on and after the Nineteenth Day of *May* One thousand eight hundred and fifty-five, on the Exportation, or on the Removal to the *Isle of Man* for Consumption there, of the several Descriptions of Refined Sugar herein-after mentioned; that is to say,

———	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.			For the following Twelve Months after such 5th Day of April			Thereafter.		
	£	s.	d.	£	s.	d.	£	s.	d.
Upon Refined Sugar in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, for every Cwt.	0	18	9	0	15	8	0	12	6
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters, for every Cwt.	0	18	9	0	15	8	0	12	6

Customs Duties.

—	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.	For the following Twelve Months after such 5th Day of April.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
Upon Refined Sugar, unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample, No. 1, approved by the Lords of the Treasury, and which shall not contain more than Five per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove - for every Cwt.	0 17 10	0 14 10	0 11 10
Upon Bastard or Refined Sugar, unstoved, broken in pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample, No. 2, approved by the Lords of the Treasury, for every Cwt.	0 16 6	0 13 9	0 11 0
Upon Bastard or Refined Sugar, being inferior in Quality to the said Export Standard Sample, No. 2, for every Cwt.	0 13 9	0 11 8	0 9 6

When Contracts have been entered into, Amount of increased Duty to be added.

IV. And whereas Contracts or Agreements may have been made for the Sale or Delivery of some of the Goods or Commodities on which increased or additional Duties of Customs are by this Act granted and imposed, which Contracts or Agreements may have been made with no Reference to such additional Duties, and thereby the several Contractors may be materially affected: For Remedy thereof be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered, in the Case of any such Contract or Agreement, to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled, by virtue of this Act, to be paid, and to sue for and recover the same accordingly.

Short Title.

V. In citing this Act in other Acts or legal Instruments it shall be sufficient to use the Expression "The Customs Duties Act, 1855."

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VICTORIÆ REGINÆ.

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CAP. XXII.

An Act for granting certain additional Rates and Duties of Excise. [25th *May* 1855.]

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the Supplies to defray the Expenses of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and grant unto Your Majesty the several additional Rates and Duties of Excise herein respectively mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties of Excise as in Schedule (A.)

I. There shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, upon the several Goods and Commodities mentioned and described in the Schedule marked (A.) hereunto annexed, the several Sums of Money and additional Duties of Excise as they are respectively inserted, described, and set forth in the said Schedule; and there shall be made, allowed,

Allowance and Draw-

backs as in Schedule (B.)

allowed, and paid for or in respect of the Goods and Commodities mentioned and described in the Schedule marked (B.) hereunto annexed, the several Allowances and Drawbacks of Excise as the same are respectively inserted, described, and set forth in the said last-mentioned Schedule; and the said Duties, Allowances, and Drawbacks respectively shall commence and take effect on the respective Days mentioned in the said Schedules respectively.

Drawback on Spirit Mixtures to cease, except as to Made Wines.

II. Provided always, That no Drawback of Excise shall be allowed or paid for or upon any of the Mixtures, Compounds, Preparations, or Commodities described in the Schedule (B.) annexed to the Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty's Reign, Chapter Twenty-seven, which on or after the Twentieth Day of *April* One thousand eight hundred and fifty-five shall be removed from *England* or *Scotland* to *Ireland*, except upon Made Wines; and that for and upon every Gallon of all Made Wines which shall be so removed as aforesaid, there shall be allowed and paid the countervailing Drawback of Twopence Three Farthings, and no more.

Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.

III. The said several Duties, Allowances, and Drawbacks of Excise by this Act granted and imposed and allowed respectively shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, applied, and allowed respectively, in such and the like Manner, and by the same Ways, Means, and Methods, by which other Duties, Allowances, and Drawbacks of Excise upon or in respect of Goods or Commodities of the same Sorts or Kinds respectively, are or may be respectively charged, raised, levied, collected, recovered, allowed, paid, and applied; and all Acts relating to the Duties, Allowances, and Drawbacks of Excise respectively, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act or Acts for securing the Duties of Excise or any of them, or for the Regulation or Improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall be respectively applied, practised, and put in execution for and in respect of the said Duties, Allowances, and Drawbacks hereby granted, imposed, and allowed respectively, in as full and ample a Manner to all Intents and Purposes as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties, Allowances, and Drawbacks hereby respectively granted, imposed, and allowed as aforesaid.

IV. And

IV. And whereas Contracts or Agreements may have been made for the Sale or Delivery of some of the Goods or Commodities on which increased or additional Duties of Excise are by this Act granted and imposed, which Contracts or Agreements may have been made with no reference to such additional Duties, and thereby the several Contractors may be materially affected: For Remedy thereof, be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered in the Case of any such Contract or Agreement to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

Where Contracts been made before the additional Duties to be added to the Price of the Articles contracted for.

V. Upon the Delivery of any Spirits from a Duty-free Warehouse in *Ireland* for Consumption in *England* or *Scotland*, the full Amount of the Duty chargeable on Spirits distilled in *England* or *Scotland* for Consumption there shall be paid on such Spirits in *Ireland* previously to the Removal thereof from such Warehouse, anything in the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty, contained to the contrary notwithstanding.

Full British Duty to be paid on Spirits delivered from a Duty-free Warehouse in Ireland for Consumption in England or Scotland.

VI. Notwithstanding anything contained in any former Act to the contrary, it shall be lawful to send out or remove from any Distillery, either for Consumption or into any Warehouse, Spirits of the Degree of Strength denominated Proof Strength, or within Six Tenths of One *per Centum* over or under such Strength, as well as of the respective Strengths specified and allowed by any former Act, but under and subject, nevertheless, to all such Rules and Regulations as are contained in any former Act with respect to Spirits of any other specified Strength.

Spirits may be sent out or warehoused at Proof Strength or within Six Tenths thereof.

VII. Every Licensed Distiller in *England* and *Ireland* respectively shall be entitled to the Allowance by this Act granted in respect of Spirits distilled from Malt only, whether for Consumption in *England*, *Scotland*, or *Ireland*, or for Exportation or Use as Ships Stores; and all Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures contained in any Act mentioned or referred to in the Thirteenth Section of the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred and twenty-two, or contained in any other Act or Acts in force in relation to the making or Use of Malt for the Distillation of Spirits from Malt only, or in relation to the Distillation of such Spirits in *Scotland*, or the warehousing or Removal thereof, either

Distillers in England and Ireland to be entitled to Allowance on Spirits distilled from Malt for Home Consumption as well as for Exportation.

either for Exportation or for Use as Ships Stores, or for Home Consumption, or in relation to the granting or Payment of the said Allowance in respect of Spirits distilled in *Scotland*, or for the preventing of Frauds in claiming the same, shall be observed, applied, and enforced with respect to the making and Use of Malt for Distillation, and the distilling of Spirits from Malt only in *England* and *Ireland* respectively, and the said Allowance granted thereon, as fully and effectually to all Intents and Purposes as if the same had been repeated and re-enacted, *mutatis mutandis*, in this Act, with reference to the said Allowance by this Act granted.

Certain Provisions of Acts in force, requiring Repayment of Malt Allowance on Spirits for Consumption in England or Ireland, and Prohibition to remove Spirits, and Spirit Mixtures, between England and Scotland otherwise than by Sea, repealed.

VIII. So much and such Part and Parts of the several Acts in force as is and are herein-after in this Clause mentioned or referred to shall be and the same is and are hereby repealed; (that is to say,)

So much of any Act as enacts or requires that upon the Removal to *England* or *Ireland* for Consumption there of Spirits distilled in *Scotland* from Malt only, or that on the Delivery for Consumption in *England* or *Ireland* of Spirits from Malt only, One Half or any other Portion of the Allowance granted thereon in respect of the Malt used in the Distillation thereof shall be repaid, and so much of any Act as prohibits or restrains the Removal otherwise than by Sea from *England* to *Scotland*, or from *Scotland* to *England*, of any *British* Spirits, whether compounded, medicated, or otherwise, or any Spirit Mixtures or Preparations, or any Made Wines:

And the same shall be deemed to have been repealed on and from and after the Twentieth Day of *April* One thousand eight hundred and fifty-five.

Distillers may remove Duty-paid Spirits between England and Scotland, in like Manner as between Places in the same Part of Great Britain.

IX. From and immediately after the passing of this Act, it shall be lawful for Distillers in *England* and *Scotland* respectively to remove from their respective Stores Spirits on which the full Duties of Excise chargeable by Law shall have been paid from *England* to *Scotland*, or from *Scotland* to *England*, in like Manner as such Spirits may now be removed, and under and subject to the like Rules and Regulations as the same are now subject and liable to on the Removal thereof to and from and between Places both of which are situated in one and the same Part of *Great Britain*.

Duty-paid Spirits may be removed from the Stocks of Rectifiers and Dealers between England and Scotland.

X. And on and from and after the First Day of *October* One thousand eight hundred and fifty-five Spirits on which the full Duties of Excise chargeable by Law shall have been paid may lawfully be removed from the respective Stocks of Rectifiers, Compounders, Dealers, and Retailers of Spirits, in *England* and *Scotland* respectively, to and from and between the said respective Parts

Parts of *Great Britain*, in like Manner as such Spirits may now be removed, and under and subject to the like Rules and Regulations as the same are now subject and liable to on the Removal thereof from any such last-mentioned Stocks to and from and between Places both of which are situated in one and the same Part of *Great Britain*.

Allowance on the Cistern or Couch Gauges of Malt-making for distilling Purposes to be 17 per Cent.

XI. In respect of all Corn or Grain in process of making into Malt, to be used in the Distillation of Spirits made from Malt only, the Allowance to be made upon the Gauges of such Corn or Grain during the Time that the same shall be in the Cistern or in the Couch Frame, whilst directed by Law to be deemed and gauged as in Couch, shall be after the Rate of Seventeen Bushels only for every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge, anything in the Ninth Section of the Act passed in the First Year of Her Majesty's Reign, Chapter Forty-nine, notwithstanding.

Commissioners may revoke the Licence of a Maltster for Distillery Purposes, or a Distiller from Malt, on a Second Conviction of any of the Offences herein specified.

XII. If any Maltster or Maker of Malt to be used in distilling Spirits from Malt only, or if any Distiller having given Notice of his Intention to distil Spirits from Malt only, shall at any Time hereafter be convicted of any of the several Offences specified in the Seventy-third Section of the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Fifty-two, or in the Ninety-second Section of the Act passed in the Fourth Year of the Reign of the said King *George* the Fourth, Chapter Ninety-four, or in the Ninth Section of the Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, Chapter Twenty-nine, and if such Maltster or Distiller shall afterwards be again convicted either of the same Offence or any other of the several Offences aforesaid, it shall be lawful for the Commissioners of Inland Revenue, and they are hereby empowered, to revoke and annul the Licence granted to such Maltster or Distiller, and to refuse to grant to him any further Licence as a Maltster or Distiller, and also to refuse to grant any such Licence to any other Person to exercise such Trade or Business at the same Premises where the Offence was committed in respect of which such Second Conviction as aforesaid was made.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

DUTIES.

SPIRITS.

Scotland and Ireland.

	Duties. £	s.	d.
For and upon every Gallon of Spirits of the Strength of Hydrometer Proof which on or after the Twentieth Day of April One thousand eight hundred and fifty-five shall be distilled in Scotland and Ireland respectively, or be in the Stock, Custody, or Possession of any Distiller in Scotland or Ireland, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled in England, Scotland, or Ireland, shall on or after the said Day be in Warehouse in Scotland or Ireland, and be taken out of Warehouse for Consumption in Scotland or Ireland, or which, having been taken out of Warehouse in England for Removal to Scotland or Ireland, shall on or after the said Day be brought into Scotland or Ireland, the additional Duty following; that is to say,			
In Scotland, the additional Duty of - - -	0	1	10
In Ireland, the additional Duty of - - -	0	2	0
And so in proportion for any greater or less Degree of Strength, or any greater or less Quantity.			

Channel Islands.

For and upon every Gallon of Spirits of the Nature or Quality of plain British Spirits of the Strength of Hydrometer Proof, manufactured or distilled in the Islands of Guernsey, Jersey, Alderney, and Sark respectively, and imported from any of the said Islands into Scotland or Ireland, the following countervailing Duties to be charged and paid on and after the Twentieth Day of April One thousand eight hundred and fifty-five; that is to say,			
If imported into Scotland - - - - -	0	9	0
If imported into Ireland - - -	0	7	2
And so in proportion for any greater or less Degree of Strength or any greater or less Quantity of			

such

such Spirits imported into Scotland and Ireland respectively,

In lieu of the countervailing Duties of Excise now chargeable on such last-mentioned Spirits under any other Act or Acts in force.

SPIRIT MIXTURES.

For and upon the several Mixtures, Compounds, Preparations, and Commodities next herein-after enumerated or described, which on or after the Twentieth Day of April One thousand eight hundred and fifty-five shall be removed from Ireland to England or Scotland, the several Sums of Money and Duties of Excise herein-after respectively inserted and set forth, in lieu of the respective Duties of Excise now payable thereon, under any other Act or Acts in force; that is to say,

Articles enumerated. For every Gallon thereof removed.	Countervailing Duties. From Ireland to England or Scotland.		
	£	s.	d.
Ether	0	4	7
Sweet Spirits of Nitre Camphorated Spirits Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients Compound Spirits of Lavender Spirits of Rosemary Spirits of Ammonia Sal Volatile Friar's Balsam Compound Tincture of Benzoin Tincture of Assafœtida Tincture of Castor Tincture of Kino Tincture of Guiacum Tincture of Myrrh Tincture of Ginger Spirit Varnishes and Lacquers	0	2	9
Other Tinctures and Medicated Spirits	0	1	10
Made Wines	0	0	2¾

SUGAR.

For and upon all Sugar made in the United Kingdom on or after the 21st Day of April 1855, the several Sums of Money and Duties of Excise herein-after inserted, described, and set forth; that is to say,

—	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.			For the following Twelve Months after such 5th Day of April.			Thereafter.		
	£	s.	d.	£	s.	d.	£	s.	d.
On Candy, Brown or White Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Hundredweight - - -	1	0	0	0	16	8	0	13	4
On White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined, for every Hundredweight - -	0	17	6	0	14	7	0	11	8
On Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed, according to a Standard to be furnished by the Commissioners of Her Majesty's Treasury, for every Hundredweight -	0	15	0	0	12	9	0	10	6
On Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar, according to a Standard to be furnished by the said Commissioners, for every Hundredweight - -	0	13	9	0	11	8	0	9	6
On Molasses, for every Hundredweight	0	5	4	0	4	6	0	3	9
And so in proportion for any greater or less Quantity than a Hundredweight.									

In lieu of the Duties of Excise now payable on Sugar made in the United Kingdom.

And for and upon every Hundredweight, and so in proportion for any greater or less Quantity than a Hundredweight, of all Sugar which, on or after the Twenty-first Day of April One thousand eight hundred and fifty-five, shall be used by any Brewer of Beer for Sale in the brewing or making of Beer - - 0 3 9

And so in proportion, more or less, according to the Rates of the Duty of Excise on Malt, and of the Duty of Customs on Sugar respectively from Time to Time payable, so that the aggregate of the

Duties of Excise and Customs on Sugar used in Brewing may be at all Times an Equivalent for the Duty of Excise on the Malt for which such Sugar is substituted.

In lieu of the Duty of Excise chargeable on such Sugar under the Act passed in the last Session of Parliament, Chapter Thirty, but over and above all other Duties, whether of Excise or Customs.

SCHEDULE (B.)

ALLOWANCES AND DRAWBACKS.

	Allowance or Drawback. £	s.	d.
For and upon every Gallon of Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Quantity or any greater or less Degree of Strength, distilled in England or Ireland from Malt only, which shall be mashed on or after the Twentieth Day of April One thousand eight hundred and fifty-five, and which Spirits shall be distilled at the Rate of Two Gallons of such Spirits for every Bushel of Barley Malt, or in Ireland One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, the Allowance of - - - - -	0	1	4

In lieu of all Allowances granted on such Spirits by any other Act or Acts now in force:

Provided always, that if the Quantity of Malt mashed and used in the Production of such Spirits shall be less than after the Rate of One Bushel of Barley Malt, or One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, for every Two Gallons of Proof Spirits charged with Duty a Deduction from the Amount of such Allowance shall be made, after the Rate of Four Shillings for every Bushel of Barley Malt and every Bushel and Three Tenth Parts of a Bushel of Bear or Bigg Malt, which shall respectively be so deficient.

Spirit, &c. Duties (Excise).

	£	s.	d.
And for and upon such Spirits distilled in England or Ireland from Malt only, and on which the Allowance aforesaid shall have been made, and which said Spirits shall be duly removed from Warehouse for Exportation or for Use as Ships Stores, and be duly exported or shipped as Stores, under and according to the Laws and Regulations of Customs in such respect, over and above the Allowance aforesaid, and in lieu of the Drawback granted and payable under any former Act, for every Gallon of such Spirits actually exported or shipped as Stores as aforesaid, a Drawback of - -	0	0	8
And for and in respect of all Sugar and Molasses actually received and used on and after the Twenty-first Day of April One thousand eight hundred and fifty-five, in the brewing or making of Worts or Wash brewed or made from Sugar only, or from Molasses only, or from any Mixture of these Materials and Treacle, or Malt or Grain, and distilled into Spirits by any Distiller in England, Scotland, or Ireland, an Allowance after the Rate of Twelve Shillings and One Penny for every One hundred and twelve Pounds of Sugar so used, and after the Rate of Four Shillings and Threepence Halfpenny for every One hundred and twelve Pounds of Molasses so used; and so in proportion more or less according to the Rates of the Duty of Customs on Sugar and Molasses respectively and of the Duty of Excise on Malt from Time to Time payable in lieu of the Allowances in respect of such Sugar and Molasses respectively contained in Schedule D. annexed to the Act Seventeenth and Eighteenth Victoria, Chapter Twenty-seven.			

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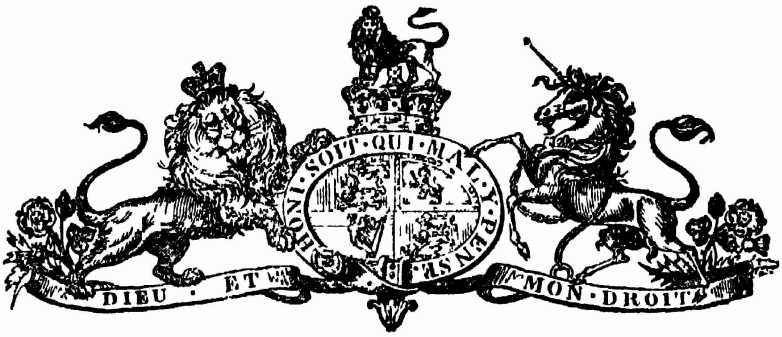

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXIII.

An Act to alter in certain respects the Law of Intestate Moveable Succession in *Scotland*.

[25th *May* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. In all Cases of Intestate Moveable Succession in *Scotland* accruing after the passing of this Act, where any Person who, had he survived the Intestate, would have been among his Next of Kin, shall have predeceased such Intestate, the lawful Child or Children of such Person so predeceasing shall come in the Place of such Person, and the Issue of any such Child or Children, or of any Descendant of such Child or Children, who may in like Manner have predeceased the Intestate, shall come in the Place of his or their Parent predeceasing, and shall respectively have Right to the Share of the Moveable Estate of the Intestate to which the Parent of such Child or Children or of such Issue, if he had survived the Intestate, would have been entitled: Provided always, that no Representation shall be admitted among Collaterals after Brothers and Sisters Descendants, and

The Issue of a predeceasing Next of Kin shall come in the Place of their Parent in the Succession to an Intestate.

and that the surviving Next of Kin of the Intestate claiming the Office of Executor shall have exclusive Right thereto, in preference to the Children or other Descendants of any predeceasing Next of Kin, but that such Children or Descendants shall be entitled to Confirmation when no Next of Kin shall compete for said Office.

Issue of predeceasing Heir succeeding to the Intestate's Heritage may collate, but other Issue not excluded by his not collating from claiming out of Moveable Estate Difference between Value of Heritage and Share their Parent would have taken on Collation.

II. Where the Person predeceasing would have been the Heir in Heritage of an Intestate leaving Heritable as well as Moveable Estate had he survived such Intestate, his Child, being the Heir in Heritage of such Intestate, shall be entitled to collate the Heritage to the Effect of claiming for himself alone, if there be no other Issue of the Predeceaser, or for himself and the other Issue of the Predeceaser, if there be such other Issue, the Share of the Moveable Estate of the Intestate which might have been claimed by the Predeceaser upon Collation if he had survived the Intestate; and Daughters of the Predeceaser, being Heirs Portioners of the Intestate, shall be entitled to collate to the like Effect; and where, in the Case aforesaid, the Heir shall not collate, his Brothers and Sisters, and their Descendants in their Place, shall have Right to a Share of the Moveable Estate equal in Amount to the Excess in Value over the Value of the Heritage of such Share of the whole Estate, Heritable and Moveable, as their predeceasing Parent had he survived the Intestate would have taken on Collation.

Father to succeed to Extent of One Half when no Issue.

III. Where any Person dying intestate shall predecease his Father without leaving Issue, his Father shall have Right to One Half of his Moveable Estate, in preference to any Brothers or Sisters or their Descendants who may have survived such Intestate.

Where Father has predeceased, Mother to succeed to Extent of One Third.

IV. Where an Intestate dying without leaving Issue whose Father has predeceased him shall be survived by his Mother, she shall have Right to One Third of his Moveable Estate, in preference to his Brothers and Sisters or their Descendants, or other Next of Kin of such Intestate.

Succession by Brothers and Sisters uterine.

V. Where an Intestate dying without leaving Issue, whose Father and Mother have both predeceased him, shall not leave any Brother or Sister german or consanguinean, nor any Descendant of a Brother or Sister german or consanguinean, but shall leave Brothers and Sisters uterine, or a Brother or Sister uterine, or any Descendant of a Brother or Sister uterine, such Brothers and Sisters uterine and such Descendants in place of their predeceasing Parent shall have Right to One Half of his Moveable Estate.

On a Wife predeceasing her Husband

VI. Where a Wife shall predecease her Husband, the Next of Kin, Executors, or other Representatives of such Wife, whether testate or

or intestate, shall have no Right to any Share of the Goods in Communion, nor shall any Legacy or Bequest or Testamentary Disposition thereof by such Wife affect or attach to the said Goods or any Portion thereof.

her Representatives to have no Claim on the Goods in Communion.

VII. Where a Marriage shall be dissolved before the Lapse of a Year and Day from its Date, by the Death of One of the Spouses, the whole Rights of the Survivor and of the Representatives of the Predeceaser shall be the same as if the Marriage had subsisted for the Period aforesaid.

Not to affect Rights of Spouses on Dissolution of Marriage in certain Cases.

VIII. So much of an Act of the Parliament of *Scotland* passed in the Year One thousand six hundred and seventeen, and intituled *Anent Executors*, as allows Executors nominate to retain to their own Use a Third of the Dead's Part in accounting for the Moveable Estate of the Deceased, is hereby repealed, and Executors nominate shall, as such, have no Right to any Part of the said Estate.

Part of Act of Parliament of Scotland, 1617. c. 14. repealed.

IX. The Words "Intestate Succession" shall mean and include Succession in Cases of partial as well as of total Intestacy; "Intestate" shall mean and include every Person deceased who has left undisposed of by Will the whole or any Portion of the Moveable Estate on which he might, if not subject to Incapacity, have tested; "Moveable Estate" shall mean and include the whole free Moveable Estate on which the Deceased, if not subject to Incapacity, might have tested, undisposed of by Will, and any Portion thereof so undisposed of.

Interpretation of Terms.

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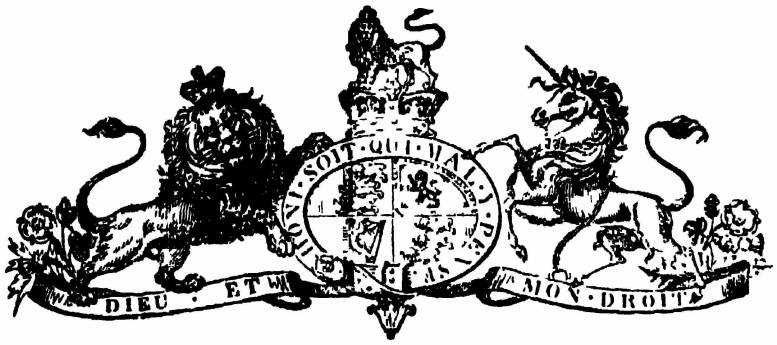

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXIV.

An Act to amend an Act of the Second and Third Years of King *William* the Fourth, for amending the Representation of the People in *Scotland*, in so far as relates to the Procedure in County Elections in that Country. [25th *May* 1855.]

WHEREAS it is expedient that the Time between the Receipt of the Writ by the Sheriff and the Day of Election of Members to serve in Parliament for Counties in *Scotland* should be shortened: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sheriff to endorse on the Writ the Day on which he received it and announce the Time for the Election. 2 & 3 W. 4. c. 65.

I. Each Sheriff to whom any Writ for the Election of a Member to serve for any County or combined Counties in *Scotland* (except *Orkney* and *Shetland*) shall be directed, under the Provisions of an Act passed in the Second and Third Years of the Reign of His late Majesty, intituled *An Act to amend the Representation of the People in* Scotland, shall endorse on the Writ the Day on which he received it, and shall within Two Days thereafter announce a Day for the Election, which Day shall be not less than Six nor more than

Twelve Days in Counties or combined Counties after the Day on which the Writ was received, and shall give due Intimation thereof as is provided in the said Act.

Proviso as to Orkney and Shetland.

II. In the Case of *Orkney* and *Shetland* the Provisions of the said Act, in so far as they relate to the fixing and Announcement of the Day of Election, and the Interval to elapse between the Receipt of the Writ and the Day of Election, shall remain in full Force and Effect, anything in this Act contained notwithstanding.

Provisions of recited Act so far as inconsistent with this Act repealed.

III. In all Cases in which the Provisions of the said Act shall be inconsistent with this Act, and in as far as shall be necessary to give Effect to the true Intent and Meaning of this Act, but no further, the said Act shall be and the same is to such Extent hereby repealed; and the said Act shall in all other respects remain in full Force and Effect, and be as good and effectual to carry this Act into execution, as if the same were herein repeated and re-enacted.

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VICTORIÆ REGINÆ.

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CAP. XXV.

An Act to allow Affirmations or Declarations to be made instead of Oaths in certain Cases in *Scotland*. [25th *May* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Affirmation instead of Oath to be allowed in certain Cases.

I. If any Person called as a Witness in any Court of Civil Judicature in *Scotland*, or required or desiring to make an Affidavit or Deposition, shall refuse or be unwilling from alleged conscientious Motives to be sworn, it shall be lawful for the Court or Judge or other presiding Officer or Person qualified to take Affidavits or Depositions, on being satisfied of the Sincerity of such Objection, to permit such Person instead of being sworn to make his or her solemn Affirmation or Declaration in the Words following, *videlicet*,

'I *A.B.* do solemnly, sincerely, and truly affirm and declare that the taking of any Oath is, according to my Religious Belief, unlawful; and I do solemnly, sincerely, and truly affirm and declare,' *&c.*

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form,

 and

and shall in like Manner infer the Pains of Perjury in case of Falsehood.

Her Majesty may, by Order in Council, direct Provisions of this Act to be applied to all Courts in Scotland.

II. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act shall apply to all or any Court or Courts in *Scotland;* and such Order shall be notified by the Secretary of State to the Clerk or other Officer of the Court or Courts therein named respectively, and shall be published in the *Edinburgh Gazette;* and within One Month after such Order shall have been so notified and published, such Provisions shall extend and apply in Manner directed by such Order; and any such Order may be in like Manner from Time to Time altered and annulled.

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VICTORIÆ REGINÆ.

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CAP. XXVI.

An Act to continue an Act of the Thirteenth and Fourteenth Years of Her present Majesty, for enabling the Judges of the Courts of Common Law at *Westminster* to alter the Forms of Pleading. [25th *May* 1855.]

WHEREAS by an Act of the Thirteenth and Fourteenth Years of Her present Majesty Queen *Victoria*, intituled *An Act to enable the Judges of the Courts of Common Law at* Westminster *to alter the Forms of Pleading*, Powers were given to the Judges of the Superior Courts of Common Law at *Westminster*, within Five Years from the passing of that Act, to make such Alterations in the Mode of Pleading in the said Courts, and in the Mode of entering and transcribing Pleadings, Judgments, and other Proceedings in Actions at Law, and in the Time and Manner of objecting to Errors in Pleadings and other Proceedings, and in the Mode of verifying Pleas and obtaining final Judgment, without Trial in certain Cases, and such Regulations as to the Payment of Costs, and otherwise for carrying into effect the said Alterations, as to them may seem expedient: And whereas the said Powers so by the said Act conferred are about to expire, and it is desirable that

13 & 14 Vict. c. 16.

that the same should be further prolonged: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Powers conferred by the said herein-before recited Act on the Judges of the said Superior Courts of Common Law at *Westminster* shall be continued for a Period of Five Years from the passing of this Act, subject always to the Provisions and Conditions in the said recited Act contained as to any Rules, Orders, and Regulations which may be made by the said Judges under and by virtue of the said Powers.

Powers conferred by the recited Act on Judges of Superior Courts of Common Law at Westminster continued.

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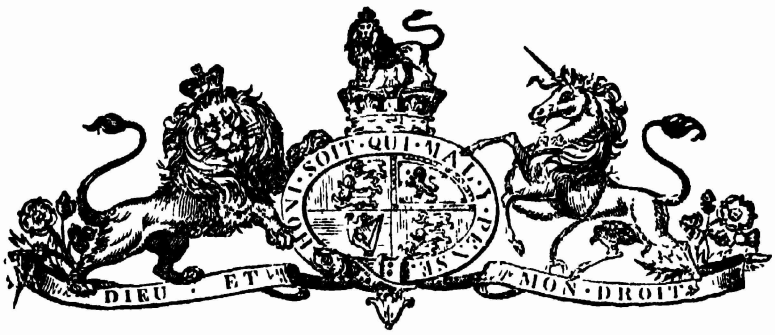

ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXVII.

An Act to amend the Laws relating to the Stamp Duties on Newspapers, and to provide for the Transmission by Post of printed periodical Publications. [15th *June* 1855.]

WHEREAS it is expedient to amend the Laws relating to the Stamp Duties on Newspapers, and to provide for the Transmission by Post of printed periodical Publications: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after Fourteen Days after the passing of this Act it shall not be compulsory (except for the Purpose of free Transmission by the Post) to print any Newspaper on Paper stamped for denoting the Duties imposed by Law on Newspapers, and no Person shall be subject or liable to any Penalty or Forfeiture for printing, publishing, selling, or having in his Possession any unstamped Newspaper.

Not to be compulsory to print Newspapers on Stamps.

II. Every periodical Publication herein-after mentioned which shall be printed within the United Kingdom on Paper stamped for denoting the Rate of Duty now imposed by Law on Newspapers shall be entitled to the like Privileges of Transmission and Re-transmission by the Post between Places in the United Kingdom, either Postage-free or otherwise, on the same Terms and Conditions and under and subject to the like Rules and Regulations as Newspapers duly stamped are now entitled and subject to under any Act or Acts in force, but under and subject nevertheless to the Terms and Conditions in this Act contained.

Periodical Publications printed on Stamps to be transmitted by Post free of Postage.

III. Every periodical Publication to be entitled to any such Privilege as aforesaid shall be printed and published at Intervals not exceeding

Periodical Publications entitled to

free Transmission by Post to be printed under certain Limitations and Conditions specified.

exceeding Thirty-one Days between any Two consecutive Parts or Numbers of such Publication, and shall be subject to the same Limitations and Restrictions with respect to the Number of Sheets or Pieces of Paper whereon the same shall be printed, and with respect to the Superficies or Dimensions of the Letter-press thereof, as by any Act or Acts now in force are enacted or imposed with respect to Newspapers and Supplements thereto; and every such periodical Publication shall be entitled to such Privilege only on the Terms and Conditions following; (that is to say,) One of the Sheets or Pieces of Paper on which the same shall be printed shall be stamped with an appropriated Die, denoting the Stamp Duty imposed by Law on a Newspaper printed on the like Number of Sheets or Pieces of Paper and of the like Dimensions with respect to the Superficies of the Letter-press thereof; and on the Top of every Page of such Publication there shall be printed the Title thereof, and the Date of publishing the same; and such periodical Publication at the Time when the same shall be posted shall be folded in such Manner that the whole of the Stamp denoting the said Duty shall be exposed to view, and be distinctly visible on the Outside thereof; also such periodical Publication shall not be printed on Pasteboard or Cardboard, or on Two or more Pieces or Thicknesses of Paper pasted together, nor shall any Pasteboard, Cardboard, or such pasted Paper be transmitted by Post with any such periodical Publication either as a Back or Cover thereto, or otherwise.

Paper to be stamped for such periodical Publications at the Request of the Proprietor or Printer.

IV. It shall be lawful for the Proprietor or Printer of any such periodical Publication to send to the Commissioners of Inland Revenue, or to such Officer as they shall appoint or direct in that Behalf, any Quantity of Paper to be stamped with an appropriated Die, to be provided in the Manner directed by the Third Section of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six, for denoting the Rate of Stamp Duty chargeable on Newspapers; and upon Payment to the proper Officer of the full Amount of the Stamps required to be impressed on such Paper, the said Commissioners or their proper Officer shall cause the same to be stamped accordingly: Provided always, that there shall be allowed in *Ireland*, in respect of such appropriated Stamps as aforesaid for any periodical Publication which shall be printed and published only in *Ireland*, the same Rate of Discount as by the said last-mentioned Act is directed to be allowed on the Purchase of Stamps for the printing of Newspapers in *Ireland*.

Discount to be allowed on Stamps in Ireland.

Periodical Publications to be posted within Fifteen Days after being published.

V. Every periodical Publication, posted in the United Kingdom, to be entitled to the Privilege of Transmission by the Post between Places in the United Kingdom, under the Provisions of this Act, shall be put into a Post Office within Fifteen Days next after the Day on which the same shall be published; the Day of Publication to be determined by the Date of such Publication.

VI. In

VI. In all Cases in which a Question shall arise whether a printed Paper is entitled to the Privilege of a periodical Publication, so far as respects the Transmission thereof by the Post under the Provisions of this Act, the Question shall be referred to the Determination of the Postmaster General, whose Decision, with the Consent of the Commissioners of Her Majesty's Treasury, shall be final.

Questions as to periodical Publications, how determined.

VII. And whereas certain Treaties and Arrangements have been made and entered into, and other Treaties and Arrangements may hereafter be entered into, by and between Her Majesty's Government and certain Foreign and Colonial Governments, for regulating the Transmission of *British* Newspapers abroad; and it is expedient to make Provision for enabling Her Majesty's Postmaster General to secure for such Newspapers respectively the Privileges and Advantages of such Treaties and Arrangements: Be it therefore enacted, That, upon the Postmaster General being satisfied that any printed Publication is a Newspaper, or entitled to the Privileges of a Newspaper, within the Meaning of such Treaties and Arrangements as aforesaid, it shall be lawful for the Proprietor or Printer of such Newspaper or Publication, if he shall think fit, to register the same at the General Post Office in *London*, in such Form and with such Particulars relating to the same, and subject to the Payment of such Fees, not exceeding Five Shillings respectively, as well on Registration as afterwards periodically for being continued on the Register, as the Postmaster General, with Consent of the Commissioners of the Treasury, shall from Time to Time direct or require in that Behalf; and thereupon such Newspaper or Publication, being printed on Paper duly stamped with an appropriated Die under the Provisions of this Act, shall be entitled to all the Privileges and Advantages secured to Newspapers by any such Treaties and Arrangements as aforesaid.

Newspapers may be registered at the General Post Office to entitle the same to the Privilege of Transmission abroad under Treaties with Foreign Powers.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to allow any printed Newspaper (*British*, Colonial, or Foreign) to be transmitted by the Post between Places in the United Kingdom and Her Majesty's Colonies or Foreign Countries, or between any Ports or Places beyond the Sea (whether through the United Kingdom or not), either free of Postage or subject to such Rates of Postage not exceeding Twopence for each Newspaper, irrespective of any Foreign or Colonial Postage, as the Commissioners of the Treasury, or the Postmaster General with their Consent, shall from Time to Time think fit; and as a Condition to any *British* Newspaper being transmitted by the Post to any Place out of the United Kingdom, the same shall be printed on Paper duly stamped with an appropriated Die under the Provisions of this Act, and the said last-mentioned Commissioners or the Postmaster General may require such Newspaper to be registered at the General Post Office in *London* in such Form and with such Particulars and subject to the Payment of such Fees as in the last preceding Section mentioned.

Transmission by Post of printed Papers to Foreign Countries.

IX. It

Power to the Postmaster General, with Consent of Treasury, to make Regulations for carrying the Act into effect.

IX. It shall be lawful for Her Majesty's Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, at any Time or Times hereafter to make and issue such Orders, Regulations, Conditions, and Restrictions as he shall deem to be necessary or expedient for the Purpose of regulating the Receipt, Transmission, and Delivery by Post of periodical Publications under the Provisions of this Act, or for preventing or detecting Frauds or Abuses in relation thereto, and for giving Effect to the Purposes of this Act; and it shall also be lawful for the said Postmaster General, with the like Consent, from Time to Time to rescind or revoke all or any such Orders, Regulations, Conditions, and Restrictions, and to make and issue any new ones in lieu thereof.

Periodical Publications sent by Post not in conformity with this Act to be charged Letter Rates of Postage.

X. All periodical Publications sent by Post otherwise than in conformity with the Terms, Conditions, and Regulations established by or under the Authority of this Act may be detained by the Postmaster General, and any Officer of the Post Office; and after being opened, the same shall be either returned to the Senders thereof or forwarded to the Place of their Destination charged with the like Rates of Postage as if the same were Letters transmitted by the Post: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to authorize Her Majesty's Postmaster General to charge in any such Case any such less Rate of Postage as to him shall seem fit.

London Gazette to be Evidence of the issuing of Warrants or Orders.

XI. Any printed Copy of the *London Gazette* in which any Warrant or Order issued or made under or by virtue of this Act, or purporting so to be, shall be published, shall be admitted as Evidence by all Courts, Judges, Justices, and others, of such Warrant or Order, and of the due making and issuing thereof, and of the Contents thereof, without any further or other Proof of such Warrant or Order, or of the Matters therein contained.

Interpretation of Terms.

XII. The Term "periodical Publication" used in this Act shall be construed to mean and include a Newspaper as defined by the Acts in force relating to the Stamp Duties on Newspapers, and every printed literary Work or Paper, printed and published periodically, or in Parts or Numbers, at Intervals not exceeding Thirty-one Days between any Two consecutive Papers, Parts, or Numbers of such literary Work or Paper; and for all the Purposes of this Act the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, and the *Isle of Man* shall respectively be deemed to be Part of the United Kingdom.

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16 & 17 Vict. c. 34.

17 & 18 Vict. cc. 10. & 24.

Reign, intituled *An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices*, and by Two other Acts passed in the Seventeenth Year of Her present Majesty's Reign, Chapter Ten and Chapter Twenty-four, for granting to Her Majesty additional and increased Duties on such Profits, Ecclesiastical Property, together with other Property in *Ireland* theretofore exempt, was rendered liable to the Duties therein enacted: And whereas it is expedient and just that the Amount payable as Property or Income Tax under the said Acts should be allowed as a Deduction by the said Ecclesiastical Commissioners, together with the Deductions authorized to be made under the said Act of the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, Chapter Thirty-seven, in forming their Valuations for the Tax, Rate, or Assessment therein directed to be levied: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Ecclesiastical Commissioners, in and from the Valuation made or to be made of any Ecclesiastical Property for the Purpose of imposing the Rate, Tax, or Assessment required by the said Act, in addition to the Charges specified as Deductions in the said Act, to deduct also such Amount or Sum as the said Commissioners shall ascertain as proper to be deducted from such Valuation for or on account of any Property or Income Tax paid or payable or deducted in respect of such Ecclesiastical Property.

Property or Income Tax to be a Deduction in estimating the Value of Ecclesiastical Property in Ireland for the Purpose of Taxation by the Ecclesiastical Commissioners.

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Registrar General, failing Parochial Board, may apply for Dismissal of incompetent Registrars.

II. If any Parochial Board shall neglect or refuse to apply, under the Authority of the Fifteenth Section of the recited Act, to the Sheriff for the Removal of any incompetent Registrar, after being thereto required by the Registrar General, it shall be lawful for the Registrar General himself to apply to the Sheriff, and such and the like Procedure in all respects shall in such Case be had and take place as if the Application had been made by the Parochial Board.

Examination of Registers by Sheriff repealed, and Examiners appointed.

III. So much of the Fifty-third and Fifty-fourth Sections of the recited Act as requires the Examination of the Registers and the Authentication thereof by the Sheriff shall be and the same is hereby repealed; and no Penalty or Breach of Duty or other Consequence shall be deemed to be incurred or to arise from the Non-authentication heretofore of any of the said Registers or Duplicate Registers which shall have been sanctioned or acquiesced in by the Registrar General or the Sheriff, anything in the said Act to the contrary notwithstanding; and it shall be lawful for the Registrar General, with the Approbation of the Commissioners of the Treasury, from Time to Time to divide *Scotland* into such Districts as he may think fit, and with such Approbation to appoint for each District a fit and competent Person to be the Examiner thereof, who shall be paid such annual Allowance as shall be fixed by the said Commissioners of the Treasury, in such and the like Manner as the Expenses specified in the Fifth Section of the said Act are directed to be paid; and it shall be the Duty of such Examiners, at such Time or Times as shall be fixed by the Registrar General, to proceed to their respective Districts, and there, in such Manner as shall be prescribed by the Registrar General, carefully to examine and compare, along with the several Registrars within their respective Districts, the Registers and Duplicate Registers of such several Registrars, and authenticate and docquet the same, and all Alterations and Additions thereon or thereto, in such Form and Manner as the Registrar General shall direct; and it shall be lawful for the Registrar General, with the Approbation of the Secretary of State for the Home Department, to frame all such Rules and Regulations as shall be necessary and expedient for such Purposes in the Manner, as far as may be, directed by the Fifty-third Section of the said Act or otherwise; and it shall in like Manner be the Duty of such Examiners respectively to aid, under the Direction of the Sheriff within their respective Districts, in executing and carrying into effect the Purposes of the Eighteenth, Nineteenth, Twentieth, Fifty-third, and Fifty-fourth Sections of the said Act.

Where Registration

IV. Where a Registration District, consisting of Portions of Two or more Parishes, has been erected by the Sheriff under the Provisions

visions of the said recited Act, the Powers thereby and by this Act conferred on Parochial Boards, and the Duties imposed upon such Boards, shall respectively belong to and be discharged by the qualified Heritors of such Registration District, and all Meetings of such Heritors shall be called by the Registrar, or, in case of Vacancy in the Office of Registrar, by the Heritor of Lands of the highest Valuation therein; and at such Meetings the Heritor of the highest Valuation present shall preside, and shall be entitled to a casting as well as to a deliberative Vote, and Assessments under the said recited Act shall be laid on according to the Manner thereby prescribed for the Case of Parishes in which there is no Assessment for the Poor.

District consists of Two Parishes.

V. In every Case in which the Status of any Person shall be altered by a Decree of any competent Court, the Clerk to the Process shall forthwith report such Decree to the Registrar General; and it shall be lawful for the Registrar General, and he is hereby required, to take all Measures necessary for having the Entries in the Duplicate Registers affected by such Decree rectified, by causing the Date of the Decree and the Import thereof to be noted upon the Margin of both Duplicates opposite to such Entries, as the Registrar General shall think fit and direct.

Decrees of Court fixing Status of Parties to be noted in Register.

VI. In reference to the Sixty-third Section of the recited Act, the Register of corrected Entries shall be kept in Duplicate; and One of the Duplicates shall be annually transmitted to the Registrar General along with the Duplicate Registers directed by the Fifty-third Section of the said Act to be annually so transmitted.

Register of corrected Entries to be kept in Duplicate.

VII. The Penalties imposed by the said Act, and by the Sixty-fifth Section thereof directed to be recovered by Prosecution by the Procurator Fiscal, and when recovered to go to the Registrar General, shall instead be paid to the Queen's and Lord Treasurer's Remembrancer of the Court of Exchequer in *Scotland;* and the Expense of all such Prosecutions, where not recovered from the Parties, shall be charged and paid in Exchequer, and the Recovery of such Penalties shall be a Part of the ordinary Duties of the Procurator Fiscal.

Penalties recovered to be paid into Exchequer.

VIII. It shall in all Cases be lawful for the Sheriff Clerks in the several Counties, and they are hereby required, to act in aid of the Sheriff in the Execution of the Powers, Provisions, and Duties of the recited Act and of this Act, in all respects as the Sheriffs may direct.

Sheriff Clerks to act in execution of Acts.

IX. The Appointments of the Examiners, and the other Clerks and Officers to be appointed under this Act, shall, in like Manner as

Appointments to be exempt from Stamp Duty.

as the Appointments mentioned in the Sixteenth Section of the recited Act, be exempt from all Stamp Duties.

This Act and recited Act to be as one.

X. This Act shall be deemed a Part of the recited Act, and shall be construed therewith as if the said Acts formed One Act.

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carry on certain Works, at Expense of Owners, &c.

Sum not exceeding Twenty-five thousand Pounds out of the Monies in their Hands borrowed on the Security of the Rates, charging the Cost of such Works in each Case upon the Owner or Occupier, as herein-after provided.

Commissioners may simultaneously execute Works of Improvement common to several Messuages, and divide the Expense among the Owners or Occupiers.

II. To facilitate the Execution of such Works in Cases where it shall appear to the Commissioners, on the Presentment of One of their Engineers, that it is requisite or proper to execute such Works or any of them in several Messuages, Tenements, or Premises situate in the same Road, Street, or Place, or in contiguous or neighbouring Streets, Roads, or Places, as combined Works, or Works of Improvement common to several Messuages, Tenements, or Premises, and for that Purpose to construct, perform, or execute any Sewers, Drains, Waterclosets, Apparatus, or other Works of Improvement, whether temporary or permanent, simultaneously or in combination or conjunction, and that such Works can be executed for such a Sum as the Commissioners shall deem reasonable and proper in that Behalf, it shall be lawful in all such Cases for the Commissioners to give Notice to the Owners or Occupiers of such Messuages, Tenements, and Premises of their Intention to execute such Works, and to charge them or some of them with the Expenses thereof; and the Commissioners shall appoint a Time and Place for receiving Objections in Writing, which any Party interested in such Messuages, Tenements, or Premises, or any of them, may desire to offer, and at the appointed Time and Place the Commissioners shall receive and consider such Objections, if any, and may execute, abandon, or alter such intended Works, and if they shall execute such Works shall ascertain the Expenses incurred thereby, and shall divide such Expenses among the Owners or Occupiers of such Premises respectively, in such Proportions as they may deem equitable and reasonable; and the Amount imposed upon any such Owner or Occupier shall be paid by an Improvement Rate upon such Premises, or as Charges for Default, as the Commissioners shall in that Behalf direct and decree.

This Act and 11 & 12 Vict. c. 112. to be construed as One.

III. This Act shall be deemed to be incorporated with "The Metropolitan Sewers Act, 1848," and shall be construed and taken as if this Act and "The Metropolitan Sewers Act, 1848," were One Act.

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CAP. XXXI.

An Act to confirm the Incorporation of the Borough of *Brighton*. [15th *June* 1855.]

WHEREAS since the passing of an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, a Charter of Incorporation has been granted to the Borough of *Brighton* in pursuance of the Provisions of the said Act, and of the Acts afterwards passed for amending the said Act: And whereas Doubts have arisen respecting the Validity of the said Charter, and the Right of the Mayor of the said Borough of *Brighton* to be the Returning Officer at the Elections of Members to serve in Parliament for the Borough of *Brighton*; and it is expedient that such Doubts be removed: Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same: 5 & 6 W. 4. c. 76.

I. That the said Charter of Incorporation, and also the Grant of separate Courts of Sessions of the Peace, issued and granted to the said Borough, and all Acts and Proceedings done or had in pursuance thereof before the passing of this Act, shall be deemed good Charter of Incorporation confirmed.

 and

and lawful from the Time of the Grants, Acts, and Proceedings respectively.

The Mayor to be the Returning Officer.

II. The Mayor of *Brighton* shall be the Returning Officer for the Borough of *Brighton* at all Elections of Members to serve in Parliament for the Borough of *Brighton:* Provided, that in case the Mayor shall, at the Time when he shall be required to perform the Duties of such Returning Officer, be dead, absent, or otherwise incapable of acting, or in case there shall be no Mayor, the Town Council of *Brighton* shall forthwith elect One of the Aldermen to be the Returning Officer for the Borough in the Place of the Mayor being so dead, absent, or otherwise incapable of acting.

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CAP. XXXII.

An Act to amend and extend the Jurisdiction of the Stannary Court. [15th *June* 1855.]

WHEREAS it is desirable to explain and amend the Acts heretofore passed for the Administration of Justice in the Stannaries, and to make the Jurisdiction and Process of the Court of the Vice-Warden more efficient, and to regulate Appeals from the Vice-Warden: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Process in case of Mines of mixed Minerals.

I. Where any Mine or Sett within the Stannaries shall be worked by the same Adventurers not only for metallic Minerals within the Jurisdiction of the Court, but also for non-metallic Minerals found in the same Mine or Sett, or intermixed with metallic Minerals, the entire Mine and Works and Products thereof shall be taken to be within the Cognizance of the Vice-Warden as if the same had wholly consisted of metallic Minerals, and the Process of the Court shall extend to and be exercised over the same, and all the Machinery and Materials thereon, as in the Case of Mines of metallic Minerals, and the Mineral called Plumbago or Black Lead is hereby declared to be a metallic Mineral.

Interpretation of Terms.

II. The Words "Mine" and "Mineral" and "Miner," when used in this Act, or in any Pleadings, Process, or Proceedings in the said Court, shall, unless otherwise explained or qualified, be respectively presumed and taken to mean a metallic Mine or Mineral within the Jurisdiction of the said Court, and a Miner in some Mine, Work, or Adventure within the same Jurisdiction, and having Privilege to sue or be sued in the said Court; and the Words "County Court" shall in this Act mean any Court established under the Provisions of the Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, and also the Court held under the Provisions of "The *London* (City) Small Debts Extension Act, 1852."

As to Suits by Pursers, &c. for Contribution against non-resident Shareholders.

III. In Suits on the Equity Side of the Court of the Vice-Warden, prosecuted according to Custom by the Purser or other principal Agent of the Adventurers in a Mine in the Stannaries against an Adventurer or his personal Representatives for Contribution to Calls or to the Expenses of working such Mine or Adventure, it shall be lawful for the Vice-Warden, upon special Application in that Behalf, to order that Service of Process on the Defendant in any Part of *England* or *Wales* to compel Appearance and Answer shall be sufficient Service, although he may not then be personally within the Jurisdiction of the said Court; and upon Proof of such Service and the Default of the Defendant to appear and answer the Petition within the Time prefixed by the Summons, it shall be lawful for the Plaintiff to enter an Appearance for the Defendant, and thereupon such Proceedings shall be had in the Suit, and such Orders and Decree made, as if the Process had been duly served on the Defendant within the Jurisdiction of the Court; and if upon Sale of the Shares or Interest of the Defendant in the Mine or Adventure according to Custom the Proceeds of the Sale shall be insufficient to satisfy the Debt of the Defendant, Costs of Suit, and Expenses of Sale, it shall be lawful to levy the same or the Residue thereof in the Manner herein-after provided for enforcing Decrees and Orders on the Equity Side of the Court; and after Appearance so entered, all Notices, Orders, Summonses, Warrants, and other Process in the Suit shall be deemed to be well served if served on the Defendant wheresoever he shall then be in *England* or *Wales*.

Plaintiff may join several Adventurers in One Petition, &c.

IV. In all such Suits against Adventurers for Contribution, it shall be lawful for the Plaintiff to join several Adventurers in One Petition for Recovery of their several Contributions, and for the Court to make One Decree for Payment and One Order for Sale of Shares, and to enforce Payment by separate Process of Execution against each Defendant, if need be; and where the Defendants or any of them shall put in separate Answers, it shall be lawful for the Court to direct that all

all or any of the Matters in issue be heard and tried at the same Time; provided that nothing herein contained shall be construed to abridge or affect the Right of the Plaintiff in such a Suit, as now exercised, to proceed against Adventurers residing or being out of the Jurisdiction of the Court upon a Service on the Mine itself, substituted by Order of the Vice-Warden for personal Service; but in such Case the Plaintiff shall not be entitled to any other or further Remedy for Recovery of the Arrears of Contribution in the Vice-Warden's Court from a Defendant so served than he had before the passing of this Act.

As to Suits by Creditors for Payment of Debts of Adventurers in a Mine.

V. In Suits on the Equity Side of the said Court by Creditors prosecuted according to Custom against the Purser or other principal Agent of the Adventurers, or against one or more of the Adventurers in a Mine in the Stannaries, to enforce Payment of their Demands by Sale of the Ores, Machinery, Materials, and Effects for the Time being belonging to the Adventurers, and being upon or about the Mine or fraudulently removed therefrom, it shall be lawful for the Vice-Warden, upon special Application in that Behalf, to order that Service of Process on the Defendant in any Part of *England* or *Wales* to compel Appearance and Answer shall be sufficient Service, although he may not then be personally within the Jurisdiction of the said Court; and upon Proof of such Service and of the Default of the Defendant to appear and answer the Petition within the Time prefixed by the Court, it shall be lawful for the Plaintiff to enter an Appearance for the Defendant, and thereupon such Proceedings shall be had in the Suit, and such Decrees and Orders made, as if the Process had been duly served on the Defendant within the Jurisdiction of the said Court; and any Adventurer shall, upon Application to the Vice-Warden or Registrar, be let in to defend the Suit, either separately or jointly with the other Defendant, within Twenty Days after the filing of the Petition, or within such other Time as the Vice-Warden shall allow; and where several Creditors of the same Adventurers shall sue separately for Payment and Sale, the Vice-Warden shall have Power to consolidate the Suits in such Way as shall seem to him necessary or expedient for the convenient Trial of the Matters in issue in the said Causes and for the saving of Expense to the Suitors; and all further Notices, Orders, Summonses, Warrants, and other Process in the Cause or consolidated Causes shall be deemed to be well served if served on the Defendant in any Part of *England* or *Wales*; and if upon Sale of the Ores, Machinery, Materials, and Effects in any such Suit the Proceeds of the Sale shall be found insufficient to satisfy the Debts of the Plaintiff or Plaintiffs and of the other Creditors who shall be admitted according to Custom to prove their Debts before the Registrar of the Court and the Costs of Suit and Expenses of Sale, it shall be lawful for the Registrar, at the Instance of the Plaintiff in

in the Suit or of any Creditor so admitted to Proof, and by Permission of the Vice-Warden on an Application by the Plaintiff or Creditor stating the Amount of Debts remaining unsatisfied and the Number of Adventurers, whether within or out of the Jurisdiction, so far as they can be ascertained by the Applicant, to proceed to apportion the Amount of Debts, Costs, and Expenses remaining unsatisfied rateably among all the Adventurers or Persons liable to contribute to the Payment of the said Debts, whether they be within the Jurisdiction or elsewhere, according to the Number of Shares or the Interest of each in the said Mine or Adventure; and it shall be competent for the Registrar to call for, and by Summons and Attachment within the Stannaries or Subpœna under the Seal of the Court to enforce, Production before him of the Cost Book or Books, Lists of Shareholders, Accounts, Bills, Resolutions of the Adventurers or Committees thereof, and all other Books, Papers, and Documents of the Adventurers relating to the Mine or the Management thereof, and by like Summons and Attachment or Subpœna to call before him and to examine the Purser, Managers, or other principal Agents of the Adventurers, whether the several Documents above mentioned or the Persons so called before him be within the Stannaries or elsewhere in any Part of *England* or *Wales*, and to make a List of all the Persons so liable to contribute at the Time of filing the Petition or their personal Representatives, with the Amount apportioned upon each; and when the Registrar shall have made such List and Apportionment, a Copy of the List shall be sent to the Account House of the Mine, or the principal Office or Place of Business of the Adventurers, and Notice shall be served on each Person named in the List of the Sum charged upon him, and a reasonable Time, to be fixed by the Registrar according to the Circumstances of each Case, shall be allowed to him to dispute the Apportionment before the Registrar, who shall hear and determine all Objections thereto; and when the List shall have been finally settled by the Registrar, he shall report thereon generally to the Vice-Warden, and if the Report shall b econfirmed upon Exception or otherwise there shall be a Decree for Payment in conformity with the said Report, and the several Sums so apportioned and charged upon each Contributory shall in and by the said Decree be made payable to the Registrar, who shall forthwith demand Payment thereof, and thereupon it shall be lawful for the said Plaintiff or Creditor, at whose Instance the Apportionment shall have been made and Decree obtained, after such Demand and a Refusal of Payment, to proceed to levy from each Contributory in the said List the Sum therein charged upon him in the Manner herein-after provided for enforcing Decrees and Orders on the Equity Side of the said Court, and for this Purpose the said Plaintiff or Creditor shall be deemed to be a Party entitled to the Benefit of the

the said Decree within the Intent and Meaning of the said Provision, and the Sums received or levied shall be forthwith paid over by him to the Registrar, who shall deduct therefrom and allow to the Party who shall have so received or levied the same his reasonable Costs and Expenses in and about the said Apportionment and obtaining the said Decree and levying the Monies so payable under it, and shall distribute the Residue rateably among the several Creditors in the Proportion of the Debts remaining due to them respectively: Provided always, that all Notices and Demands required by this Act to be served on or made upon Adventurers and other Persons named in the Registrar's List as Contributories shall be deemed to be sufficiently served if sent by Post prepaid, addressed to the Party at his last known Address; unless the Registrar shall order that the same shall be served in some other Way, in which Case Service shall not be sufficient unless it be in conformity with such Order.

As to Suits for Account between Adventurers.

VI. In Suits on the Equity Side of the said Court for an Account as between Adventurers in Mines in the Stannaries, it shall be lawful for the Court, upon special Application in that Behalf, to order that Service of Process in any Part of *England* and *Wales* to compel Appearance and Answer shall be good Service on any Adventurers or their personal Representatives, or others who may be necessary Parties to such Suit, although they may not then be personally within the Jurisdiction of the said Court; and upon Proof of such Service, and of the Default of any Person so served to appear and answer the Petition within the Time prefixed by the Summons, it shall be lawful for the Plaintiff or Plaintiffs to enter Appearances for the Persons so served, and thereupon such Proceedings shall be had in the Suit, and such Orders or Decrees made, as if the Process had been duly served within the Jurisdiction of the Court, and the Orders and Decrees so made shall be binding on all Adventurers and others so served; and if the final Decree shall be for Payment of Money or Costs, Payment thereof shall be enforced in the Manner herein-after provided; and after Appearance so entered all Notices, Orders, Summonses, Warrants, and other Process in the Suit shall be deemed to be well served if served in any Part of *England* or *Wales*; and in all such Suits where any Adventurer holding a Share in a Mine or Adventure cannot be found, or is deceased and no one can be found who has administered to his Estate and Effects, then it shall be sufficient by Leave of the Court to substitute for regular Service a Service on the Mine in the usual Way, or at the principal Office or House of Business of the Adventurers, whether within the Stannaries or elsewhere in *England* or *Wales*, and Notice of such substituted Service shall be addressed by Post to the last known Address of the said Adventurer, except in case of his Decease, and thereupon Decrees or Orders of the

Court in the Suit shall be binding on such Adventurer or his Representatives, and those claiming under him, as in case of regular Service.

Process in Suits against non-resident Defendants.

VII. In Suits commenced on the Equity Side of the said Court for Causes relating to Mines and Minerals in the Stannaries, or to Shares, Interests, or Adventures therein, whereof the said Court has cognizance, in which it may be necessary or expedient to sue or to join as Defendant a Person holding or claiming to hold any Share or Interest in an Adventure in Mines or Minerals worked within the Stannaries, or being an Agent of the said Adventurers, who cannot be found within the Jurisdiction of the said Court; and in all Cases where any Person who shall have commenced any Suit or entered an Appearance in any Suit in the said Court, or shall have come in as Creditor, Claimant, or Purchaser, or otherwise submitted to the Jurisdiction thereof, cannot, by reason of his Person or Goods being out of the said Jurisdiction, be made amenable to the Process of the Court; and in all Cases where any Party to such Suit shall have died or become bankrupt or insolvent, and his personal Representatives or Assignees, or any of them, who may be necessary Parties to the Continuance of the Suit, shall be out of the said Jurisdiction, it shall be lawful for the Court, upon special Application in that Behalf, to order that Service of any Notice, Order, Summons, Warrant, or other Process shall be deemed good Service on any such Person, Representative, or Assignee respectively in any Part of *England* or *Wales*, and, if need be, to order an Appearance to be entered for the Person served; and thereupon it shall be lawful to take such Proceedings and to make such Order or Decree as if the Service had been made within the said Jurisdiction.

Service of Process out of Stannaries.

VIII. Where Service of Notices, Orders, Summonses, Warrants, or other Process in Causes pending in the Vice-Warden's Court may, under this Act or otherwise, lawfully be made in a Place out of the Jurisdiction of the said Court, it shall be lawful for the said Court, or for Parties to Suits therein, to send the same to the High Bailiff of the County Court in the District of which such Place may be, together with the lawful Fees payable in like Cases for Service of similar Process in the County Court, and thereupon the High Bailiff shall serve or cause to be served the same, as if it had been issued out of a County Court, and such Service shall or may be proved as in case of County Court Process.

As to Execution of Judgments and Decrees of the Court of the Vice-Warden.

With respect to the Execution of Judgments and Decrees of the Court of the Vice-Warden, be it enacted as follows:

IX. In Actions commenced therein on the Common Law Side of the Court, where Judgment shall have been duly recovered in a Cause

Cause whereof the said Court has cognizance, but which cannot be conveniently or effectually enforced by the ordinary Process of that Court within the Jurisdiction thereof, it shall be lawful for any One of the Superior Courts of Common Law at *Westminster*, or for any Judge thereof, upon Application of the Party entitled to the Benefit of such Judgment, and Production of a Certificate from the Registrar of the Court of the Vice-Warden under the Seal of the Court of the Judgment so recovered, and a satisfactory Affidavit of the Ground of the Application, to cause Process to issue and Proceedings to be taken for the Recovery of the Amount due on the Judgment, including the Costs of the Certificate and of the Application, in the same Manner as upon a like Judgment recovered in an Action commenced in the Superior Court; and it shall not be necessary for this Purpose, or for any other Purpose, that the Record of any Judgment in the Vice-Warden's Court shall be engrossed on Parchment or enrolled; and where the Debt or Damages recovered by Judgment of the Court of the Vice-Warden, or sought to be recovered in Actions commenced either by Writ, Plaint, or other legal Procedure, according to the Practice of the said Court, shall not exceed Fifty Pounds, and the Judgment of the Court cannot be conveniently or effectually enforced within the Jurisdiction of the said Court, it shall be lawful for the Party entitled to the Benefit of the Judgment to sue out a Writ of Execution, and to send the same to the Clerk of any County Court within the District of which the Judgment Debtor or his Goods and Chattels shall then be or be believed to be, with a Warrant thereto annexed, under the Hand of the Registrar and Seal of the Court of the Vice-Warden, requiring Execution of the same, and with the Fees lawfully payable in like Cases for Execution of such a Writ in the County Court; and thereupon the said Clerk shall cause the same to be executed by the High Bailiff of the County Court in due Course of Law, as if the same had been issued by the Court of which he is High Bailiff, and the said Bailiff shall have the same Powers and Protection as if he were executing the Process of such County Court, and shall make his Return to the Clerk of the said Court, and pay over to him the Amount levied, if any; and the Clerk shall forthwith certify the said Return, and remit the Amount so paid, less the Costs of making such Levy according to the Practice of the County Courts, to the Party prosecuting the Writ; and the Judge of the said County Court shall have and exercise the same Power and Authority over the Clerk and High Bailiff, and shall have Power to adjudicate upon Summons of Interpleader in case of adverse Claims to Goods taken in Execution, as if the Execution had been under the Warrant of his own Court.

Where such Judgments cannot be conveniently enforced Superior Courts may issue Process for Recovery of Amounts due on the same.

X. All

Execution of Decrees, &c. in Equity Suits in or out of Stannaries.

X. All Decrees and Orders made in Causes on the Equity Side of the Court of the Vice-Warden, whereof the said Court has cognizance, for Payment of any Sum or Sums of Money, Costs, Charges, or Expenses, shall and may be enforced by a Writ or Writs of Fieri facias or Capias, within the Limits of the Jurisdiction of the said Court, which Writs shall be in the Form, as near as may be, of the like Writs issued to enforce Decrees or Orders for Payment of Money made by the High Court of Chancery, and be executed in like Manner by the Bailiffs of the Vice-Warden's Court; and where any Decrees or Orders, whether for Payment of Money or otherwise, cannot be conveniently or effectually enforced by the ordinary Process of the Court of the Vice-Warden within the Jurisdiction thereof, it shall be lawful for the High Court of Chancery, or for any Judge thereof, sitting in Court or at Chambers, upon the Application of a Party entitled to the Benefit of such Decree or Order, and Production of a Certificate from the Registrar of the Court of the Vice-Warden under the Seal of the Court of the said Decree or Order, or of such Part thereof as cannot be so enforced as aforesaid, and a satisfactory Affidavit of the Ground of the Application, to make the said Decree or Order, or so much thereof as cannot be enforced, a Decree or Order of the High Court of Chancery; and thereupon such Decree or Order, or such Part thereof as aforesaid, shall and may be enforced by such Proceedings and Writs as would or might have been taken or issued if the same had been originally made by the High Court of Chancery, and all the reasonable Costs of and consequent upon such Certificate and Application shall and may be recovered as if the same had been and were Part of such Decree or Order; and where the said Decree or Order of the Vice-Warden is for Payment of a Sum or Sums of Money not exceeding in the whole the Sum of Fifty Pounds, it shall be lawful for the Party entitled to the Benefit of the said Decree or Order to enforce Payment thereof in the Manner herein-before provided in the Case of a Judgment on the Common Law Side of the Court for Recovery of a Debt or Damages not exceeding the said Sum of Fifty Pounds: Provided that nothing in this Act contained shall affect or prejudice the Power of the Vice-Warden to enforce Decrees or Orders by Process of Attachment within the Jurisdiction of his Court where the same may be now lawfully exercised, or to order the Sale of Shares or Interests in Mines or Adventures in Cases wherein such Sale may now be made by Order of the said Court.

Interpleader in Equity.

XI. When any Claim is made to or in respect of any Goods and Chattels, or the Proceeds or Value thereof, sold or intended to be sold under a customary Decree of Sale in a Mining Creditor's Suit by any Landlord for Rent or other distrainable Demand, or by any other Person

Person not being a Party to the Suit, it shall be lawful for the Vice-Warden to call upon the Claimant by Rule or Order of the Court to appear in Person or by his Attorney or Agent in support of the same either before the Vice-Warden himself or before the Registrar, and to state the Nature and Particulars of his Claim, who shall thereupon hear the Allegations and receive the Proofs offered as well by the Claimant as by the Plaintiff in the Suit, and, if the Claimant and Plaintiff shall agree on the Facts of the Case, shall then adjudicate upon the Claim; and if the said Parties shall not so agree, then the disputed Facts shall be ascertained by an Action or Issue to be tried in the Vice-Warden's Court, in such Form as the Vice-Warden shall direct, and the Vice-Warden shall then adjudicate upon the Claim; or the Vice-Warden or Registrar shall have Power, with the Consent of the Parties so before him, their Counsel, Attornies, or Agents, to adjudicate upon and dispose of the Claim in a summary Manner: Provided that in all Cases, except in case of summary Adjudication by Consent, it shall be competent for the Registrar, at the Request of the said Parties, or either of them, to refer the Decision of the Case to the Vice-Warden; and the Vice-Warden shall in all Cases of such Interpleader make such other Rules and Orders in the Matter of the said Claim or Adjudication as between the said Parties in respect thereof, or of the Costs of the Proceedings, as to him shall seem fit and reasonable.

Adjudication to be final.

XII. The Adjudication of such Claim, either upon hearing or in default of the Appearance of the Claimant, shall be final and conclusive between the said Parties and all Persons claiming by, from, or under them; and the Adjudication, and all Rules and Orders made thereupon, shall have the Force and Effect of Judgments or Decrees of the Court, and be enforced accordingly.

Upon Application by Registrar, &c., Action may be stayed.

XIII. In Cases of Interpleader either on the Common Law or Equity Side of the Court, upon Application by the Registrar, Bailiff, or other Officer of the Court, or of the Plaintiff in the original Suit, and Certificate by the Registrar of the Proceedings in the Court of the Vice-Warden, and Proof of the Service on such Claimant of the Rule or Order calling upon him to appear in support of his Claim, any Action that shall have been or shall be brought in any Superior or Inferior Court in respect of such Claim against any Officer of the Court or Person acting under his Direction, or against the Plaintiff in the original Suit, may be stayed by the said Court, or any Judge thereof, who shall have Power to make such Rules and Orders touching the Costs of the Action so stayed as shall seem fit and reasonable.

Freehold, &c. not to be adjudicated upon without Consent.

XIV. Provided that nothing herein contained shall authorize the Vice-Warden or Registrar to adjudicate upon any Claim, either on the Common Law or Equity Side of the Court, touching the Freehold or Inheritance of any Person, except by Consent of the Parties before the Court, and as between and against themselves and those claiming under them.

Ejectment in the Stannaries.

XV. It shall be lawful for the Vice-Warden to entertain Jurisdiction in Suits for Recovery of the Possession of Mines within the Stannaries, and of Buildings, Machinery, Works, and Waters annexed thereto and occupied therewith, on the Ground of Breach of Condition, Determination of the Sett or Lease, or other lawful or customary Cause of Forfeiture, and also to prohibit the working of any Mine in a Manner contrary to Custom or Covenant by Injunction in Cases and under Circumstances in which the High Court of Chancery or the Courts of Common Law at *Westminster* may now by Law enjoin; and the Suit for Recovery of Possession shall be by Action of Ejectment on the Common Law Side of the Court, according to the Forms and Procedure established by the Common Law Procedure Act, 1852, so far as they are or can be made applicable to the Vice-Warden's Court; and it shall be lawful for the Vice-Warden to cause all necessary Writs to be served on the Persons in possession or entitled to defend, wheresoever they may then be in *England* or *Wales*, and to adopt any of the General Rules and Orders of the said Superior Courts promulgated from Time to Time and applicable to the Action of Ejectment with such Variations as the Nature and Constitution of the Court shall render necessary; and all Constables and Peace Officers within their several Jurisdictions shall be aiding the Bailiffs of the Court in the Execution of the Writ or Writs awarded for Recovery of the Possession and Costs, and in enforcing Process of Attachment in the Case of Breach of Injunction; provided that nothing herein contained shall authorize the Vice-Warden to entertain any Question touching the Freehold or Inheritance of any Person except by such Consent and as between and against such Parties as aforesaid.

Summary Suits for small Debts extended to Torts.

XVI. Whereas Actions for Debts not exceeding Fifty Pounds are now prosecuted summarily, and tried by Five Jurors only on the Common Law Side of the said Court, and it is expedient that the like Process and Trial be extended to other Actions, whether for Debt or Damages: Be it therefore enacted, That all or any Actions for Debts or Damages not exceeding Fifty Pounds, whether founded on Tort or Contract, for Causes within the Jurisdiction and Cognizance of the said Court, shall be prosecuted in a summary Way by Plaint, and tried by a Jury of Five Jurors, as is now used in Actions for small Debts in the said Court, except in Cases where the Vice-Warden shall permit or direct

direct such Action to be by Writ of Summons; and for the Purpose of improving the Procedure in such Actions by Plaint, it shall be lawful for the Vice-Warden to make and enforce Rules and Forms for Procedure, Practice, Pleading, and Taxation of Costs, and to adopt all or any of the Rules and Forms now or hereafter legally in force and use in the County Courts, with such Alterations as may be necessary to adapt them to the Jurisdiction of the Vice-Warden's Court.

Removal of certain Causes from the County Court.

XVII. Where any Cause touching the Usage or Customs of Mining or of Miners, or the Principles and Incidents of Cost Book Partnership or of Cost Book Mines, or the Privileges and Franchises of Tinners or Miners, or the Effect and Operation of Setts or Licences to mine or Contracts for the Sale or Transfer of Shares in Mines, or the Custom of Tin Bounds or the Nature and Incidents thereof, shall be pending before One of the Judges of the County Courts within the Stannaries, the said Judge shall, at the Request of either Party, have Power to remit the said Cause for Trial or Hearing before the Court of the Vice-Warden, who shall thereupon have all the same Powers and Jurisdiction with respect to the Cause as if it had been commenced by Plaint in the Court of the Vice-Warden, subject to the like Appeal as in other Causes so commenced.

Pleading to Jurisdiction.

XVIII. Demurrers for Matter of Form only shall not be permitted in the Court of the Vice-Warden, and on the Equity Side of the said Court no Demurrers or Pleas shall be permitted except Demurrers for that the Suit or Subject thereof is not within the Cognizance or Jurisdiction of the said Court; and if the Objection of Want of Jurisdiction shall not be raised by Demurrer or Plea within Ten Days after Appearance in a Suit on the Equity Side, or within Ten Days after Notice of Declaration or Service of a Copy of Plaint on the Common Law Side, no Question as to the Jurisdiction of the Court shall thereafter be raised, except in Cases where the Want of Jurisdiction will disable the Court from doing full and substantial Justice between the Parties to the Suit; and the Mode of filing or serving Demurrers or Pleas to the Jurisdiction shall be regulated by General Rules and Orders made as herein-after provided, and so much of Section Thirteen of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of *William* the Fourth, Chapter One hundred and six, as relates to Pleas and Demurrers to the Jurisdiction, and so much of the Act passed in the Sixteenth Year of the Reign of *Charles* the First, Chapter Fifteen, as relates to the Form and Manner of objecting to the Jurisdiction of the Stannary Courts, or is at variance with this Act, shall be and is hereby repealed, except as to Suits commenced before the passing of this Act.

XIX. The

Power of Registrar on Interlocutory Applications.

XIX. The Registrar of the Court of the Vice-Warden shall have Power at all Times before Hearing or Trial, either on the Common Law or Equity Side of the said Court, to make Orders for amending the Proceedings or Pleadings upon Terms or unconditionally, to hear and determine Applications for further Time, Objections for Defect of Form, or on the Ground of Uncertainty, Obscurity, Prolixity, or Multifariousness, and to make Rules and Orders in all such other interlocutory Matters as shall be submitted or referred to him by Consent of Parties, or which he may be directed or empowered to hear and determine or deal with, by any General Rules or Orders made under the Authority of this Act; and the said several Matters shall be heard and determined *ore tenus* in a summary Way, subject however to Appeal by Motion to the Vice-Warden, either *ore tenus* or on a written Statement agreed upon by the Parties or drawn up by the Registrar and submitted to the Vice-Warden.

Power for Vice-Warden, with Consent of Parties, to refer Cases to Arbitration.

XX. The Vice-Warden shall have Power, with the Consent of the Parties to any Suit, their Counsel, Attornies, or Solicitors at Law or in Equity, to order the same, with or without other Matters in dispute, to be referred to Arbitration, or to act as such Arbitrator himself, at the Request of the said Parties, in such Manner and on such Terms and Conditions as he shall think fit, with all the usual Powers of Arbitrators, under References by Order of the Superior Courts; and such Reference shall not be revocable by either Party except by Consent of the Court; and the Vice-Warden shall have Power to set aside the Award for Cause shown, or to refer the Case back again to the Arbitrator, and the final Award made in pursuance of such Reference shall, on the Motion of either Party, be entered as the Decree or Order of the Court, or Judgment shall be entered in pursuance of such Award, as the Case may be, and the Decree, Order, or Judgment so entered shall thereupon be enforced as if the same had been made or entered in the ordinary Course of Procedure at Law or in Equity, as the Case may be.

Power of Vice-Warden to hold his Court at any Place within the Stannaries for certain Purposes.

XXI. It shall be lawful for the Vice-Warden, at the Request of one or some of the Parties to a Suit, and subject to such Terms as to Costs or otherwise as he may think fit and reasonable, to adjourn or hold his Court to or at any Place within the Stannaries for the Purpose of hearing Witnesses or taking Evidence; and in such Cases it shall not be necessary for the Registrar or Secretary of the Vice-Warden or Prothonotary of the Court to be in attendance at the Sittings of the Vice-Warden at such Place.

Production of Lists of Shareholders in Mines.

XXII. In all Cases of Mines in the Stannaries worked by Partnerships or Companies of Adventurers professing to adopt or to be constituted

constituted on the Cost Book System or Principle, it shall be lawful for the Vice-Warden, upon Application of any Adventurer or Shareholder in the Mine or Creditor of the Adventurers, founded on sufficient Grounds verified by Affidavit, although no Suit be pending touching the said Mine or Adventurers, to compel Production by Rule or Order of a List or Lists of all Adventurers or Shareholders for the Time being by the Purser or other principal Agent or Manager, Clerk, or Secretary of the Mine, and whether such Person be then within the Jurisdiction of the Court or elsewhere, for Inspection of the Applicant; and if such List shall not be produced, showing truly the Name, Address, and Number of Shares of each and every Adventurer or Shareholder, and the Time when each became an Adventurer or Shareholder, so far as the same are known or can be ascertained, then it shall be lawful for the Vice-Warden at his Discretion, after Fourteen Days previous Notice of his Intention served on the Person so ordered to produce, and also affixed to the Account House of the Mine, or left at the principal Office or House of Business of the Adventurers within the Stannaries or elsewhere, to declare that the Partnership or Company is not carried on or constituted on the Cost Book System or Principle; and the said Partnership or Company shall thereupon no longer be deemed or taken to be for any Purpose a Partnership, Association, or Company within the Exemption of Mining Partnerships contained in the Act passed in the present Reign, entitled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, or within the conditional Exemption contained in the Joint Stock Companies Winding-up Amendment Act, 1849; and in all Cases of like Mines and Partnerships, it shall be lawful for the Vice-Warden, upon Application of any Adventurer or Shareholder founded on sufficient Grounds and Affidavit, and although no Suit be then pending, to make a Rule or Order for Production of the Cost Books of the Mine, List of Adventurers, and such other Books and Documents relating to the Mine and Management thereof as the Vice-Warden shall think proper, for Inspection of such Applicant, and to enforce such Rule or Order by Attachment within the Stannaries, or by causing the same to be made a Rule or Order of one of the Superior Courts at *Westminster* under the Statute in such Case made and provided.

7 & 8 Vict. c. 110.

XXIII. Whereas the Power of the Vice-Warden to make General Rules or Orders of Court is insufficient, and it is doubtful whether it extends to the Adoption of Improvements in the Procedure of the Superior Courts recently made by Parliament, or of Rules and Orders made from Time to Time by the Superior Courts by the Authority of Parliament: Be it therefore enacted, That it shall be lawful for the Vice-Warden to make from Time to Time new Rules and Orders touching

Power to make or adopt Rules, Orders, and Practice of Superior Courts of Law or Equity.

touching the Procedure, Practice, Pleadings, Regulation of Court Fees, and Taxation of Costs, both on the Common Law and Equity Side of the said Court, and all other Business of the said Court, and to prescribe Forms for carrying into effect such new Rules and Orders, and also existing Rules and Orders not varied or repealed, and also to adopt all or any of the Provisions contained in the Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-six, and in the Common Law Procedure Act, 1852, and in the Common Law Procedure Act, 1854, and all or any of the Rules and Orders from Time to Time made and promulgated by the Superior Courts by and under the Authority of the said Acts, or otherwise, with such Modifications as may be necessary to adapt them to the Jurisdiction of the Vice-Warden's Court; provided that no such Rules, Orders, Forms, or Provisions shall be made, prescribed, or adopted without the Consent and Approval of One of the Judges of the Superior Courts of Common Law at *Westminster* in the Case of Rules, Forms, and Provisions applicable to the Common Law Side of the said Court, or of the Lord Chancellor or One of the Judges of the High Court of Chancery in the Case of Orders, Forms, and Provisions applicable to the Equity Side of the said Court; provided also, that nothing herein contained shall be construed to abridge or restrain any existing Power of the Vice-Warden to make Rules or Orders in Cases not requiring the Consent or Approval of any Judge of the Superior Courts.

Provision for Illness or accidental Absence of Vice-Warden.

XXIV. When the Vice-Warden shall be prevented by Illness or Accident from attending and sitting on the Day appointed for such Sitting, it shall not be necessary to send any Statement to the Lord Warden of the Cause of his Non-attendance or of the Adjournment of the Court, unless the Vice-Warden shall be, or it shall appear to him probable that he will be, thereby prevented from sitting within the Period required by Law; and if, for the Reason aforesaid, it shall be necessary to appoint a Deputy, it shall be lawful for the Vice-Warden to appoint such Deputy, qualified as now required by Law, for the then next Sittings only, provided the Cause alleged in such Statement be allowed by the Lord Warden to be sufficient and the Person so named as Deputy be approved by him; and whenever it may be desirable to alter the Time fixed for holding the Court, it shall be lawful for the Vice-Warden to accelerate or postpone the holding thereof, provided that such Alteration be duly notified and published in the usual Way, and the holding be not postponed beyond the Third Calendar Month next after the Calendar Month in which the last preceding Sittings were held, and no Irregularity in the Time of holding any Court or Sitting shall vitiate or avoid the Proceedings at such Court or Sitting.

XXV. And,

Jurisdiction of the Stannary Court Amendment.

XXV. And, because Doubts may arise as to the Allowance of certain Disbursements and Payment of Arrears of Salaries on the auditing of the Registrar's Accounts, be it enacted, That upon such Audit there shall be allowed annually, in respect of the Expenses of advertising and holding Courts in *Cornwall*, summoning Jurors, enforcing Payment of Assessments, lighting, warming, cleaning, watching, and keeping the Court and Offices there, providing Furniture, Books, Stationery, and Printing, and such additional Accommodation or occasional Assistance in the Office as the Vice-Warden shall consider reasonable or necessary, a Sum not exceeding the Sum of One hundred and twenty Pounds; provided that if hereafter the Expenses of the Sittings and Court shall become larger by reason of increased Business, more frequent Sittings, or other Causes, it shall be competent for the Council of the Prince of *Wales*, or special Commissioners for managing the Affairs of the Duchy for the Time being, to authorize a larger Allowance, not exceeding in the whole Two Third Parts of the Fees of Court that shall come into the Hands of the Registrar during each Year: And whereas it has happened, and may again happen, that the Monies arising from Fees and Assessments, and available for the Payment of the official Salaries charged on them, have been or may be insufficient to pay the current Salaries when the same become due: Therefore, when the Registrar shall account to the Vice-Warden for such Monies, there shall be allowed to him thereout not only the Portion of Salaries due in respect of the Half Year then last past, but also all or any Arrears of Salaries remaining unpaid on preceding Accounts.

Allowances to be made on auditing the Registrar's Accounts.

XXVI. The Provisions contained in the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and six, and in the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Fifty-eight, touching Appeals to the Lord Warden, shall be repealed, and henceforth from all Decrees and Orders of the Vice-Warden on the Equity Side of his Court, and from all Judgments of the Vice-Warden on the Common Law Side thereof, there shall lie an Appeal to the Lord Warden, who shall have Power to affirm, vary, or reverse the Decree, Order, or Judgment wholly or in part, or to dismiss the Appeal, or to direct a Re-hearing or a new Trial in the Court below, and to make such Order or Orders touching the Costs in the Cause as to him shall seem fit, and the Decree, Order, or Judgment of the Lord Warden on such Appeal shall be remitted to the Vice-Warden, to be by him carried into effect and enforced, if need be, according to the Course and Practice of the Court; and upon hearing such Appeal it shall not be competent for the Parties to produce

Regulation of Appeals.

produce fresh Evidence in the Cause, or to call upon the Lord Warden to hear any Witnesses in the Cause, unless he shall in his Discretion think fit to do so; but the Decree, Order, or Judgment of the Lord Warden may proceed on the State of Facts appearing on the Notes of the Trial below certified by the Vice-Warden or agreed upon by the Parties; and the Vice-Warden shall certify such Notes accordingly, and transmit to the Lord Warden a Record of the Proceedings in his Court, and all Documents and Papers in the Cause in the Custody of the Court; and the Parties before the Lord Warden shall produce all the Documents and Papers produced on the Trial below: On the Hearing and Decision of the Appeal the Lord Warden shall be assisted by Two or more Assessors, who shall be Members of the Judicial Committee of the Privy Council or Judges of the High Court of Chancery or Courts of Common Law at *Westminster;* and the Decree, Order, or Judgment of the Lord Warden in the Court of Appeal so constituted shall be subject to a final Appeal to the Judicial Committee of the Privy Council, who shall have Power to hear and determine the same: And it shall be lawful for the Lord Warden to remit a Cause pending before him on Appeal at once for the Determination of the said Judicial Committee, without pronouncing any previous Judgment thereon: Provided that no Appeal shall be allowed in any Case where the Debt or Damages sought to be recovered shall not exceed Twenty Pounds and where no Question of Jurisdiction or of the Custom of Mining or Miners shall have arisen in the Court below, nor shall any Appeal operate to stay Proceeding or be allowed, unless the Party appellant shall notify in Writing to the Registrar, within Thirty Days after Notice of the Decree, Order, or Judgment appealed against, his Intention to prosecute an Appeal, and shall then give or offer to give Security by Bond to the Registrar to prosecute the same within a Time prefixed by the Court, and to abide by and perform the final Order and Award of the Court of Appeal, which Bond shall not require to be stamped; and it shall be lawful for the Lord Warden, with the Approval of Two or more Members of the Judicial Committee of the Privy Council or Judges of the High Court of Chancery or of the Superior Courts of Common Law, from Time to Time, to make any General Rules and Orders for regulating the Practice, Fees, and Costs on Appeals pending before him, not inconsistent with the Provisions of this Act.

As to levying and Application of Fines.

XXVII. The Penalties incurred by the Head Manager of any Mine by reason of his Omission to make such Returns of Metals and Minerals, or the Value thereof, or such Payments in respect thereof as he is now required by Law to make, shall be assessed and imposed by the Vice-Warden; and such Penalties and all Fines and Penalties lawfully

lawfully imposed and levied by Authority of the Vice-Warden for any Default or Non-attendance of Jurors, Misdemeanor of Bailiffs or other Officers, Contempt of Court, or other Cause whatsoever, shall be paid to the Registrar of the Court, and form Part of the Fund for Payment of Expenses and Salaries, and such Fines and Penalties shall be levied within the Stannaries by Fieri facias issued by Order of the Vice-Warden, on Complaint of the Registrar, and Summons, and Hearing in a summary Way; and if the Offender be not found within the Stannaries, shall be levied on like Summons and Hearing, or Default of Appearance, in the Manner herein-before provided for enforcing Execution of Judgments on the Common Law Side of the Court.

Punishment of Frauds by Miners in Devonshire.

XXVIII. And whereas by the Tenth Section of an Act passed in the Parliament holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Fifty-eight, it was enacted, that certain Frauds committed by Workmen in Mines in the County of *Cornwall* should be deemed Felonies, and should be punished as in Cases of Simple Larceny: And whereas it is desirable that that Enactment should be extended to the County of *Devon:* Be it therefore enacted, That for the Prosecution and Punishment of Frauds in Mines by idle and dishonest Workmen removing or concealing Ore for the Purpose of obtaining more Wages than are of Right due to them, and thereby defrauding the Adventurers in or Proprietors of such Mines, or the honest and industrious Workmen therein, if any Person or Persons employed in or about any Mine within the County of *Devon* shall take, remove, or conceal the Ore of any Metal, or any Lapis Calaminaris, Manganese, Mundick, or other Mineral found or being in such Mine, with Intent to defraud the Proprietor or Proprietors of or Adventurer or Adventurers in such Mine, or any One or more of them respectively, or any Workman or Miner employed therein, then and in every such Case respectively such Person or Persons so offending shall be deemed and taken to be guilty of Felony, and being convicted thereof shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

Vice-Warden to be qualified to act as a Justice of the Peace in the County.

XXIX. The Vice-Warden of the Stannaries for the Time being whose Name shall or may be inserted in any Commission of the Peace for the County of *Cornwall* shall be qualified to act in the Execution of the Office of Justice of the Peace for the said County, although he may not have such Qualification by Estate or Interest in Lands, Tenements, or Hereditaments as is now enjoined by Law in the Case of other like Justices; provided that he be not disqualified to act for any other Cause or upon any other Occasion than in respect of the Want of such Estate or Interest.

XXX. The

Parts of Acts repealed.

XXX. The following Parts and Provisions of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and six, shall be and the same are hereby repealed; that is to say, Sections Five, Eleven, and Fourteen, and so much of Section Seven as relates to Appeals, and the Words "Nisi prius" shall be considered as struck and omitted out of Section Eight: The following Parts and Provisions of the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Fifty-eight, shall also be and the same are hereby repealed; that is to say, Sections Three, Four, and Nine, and the Proviso in Section Two; but no Acts done or Rules or Orders made by Authority of the Provisions so repealed shall be thereby affected or made void.

Law Clerk of the Duchy of Cornwall to act as Attorney or Solicitor in all Courts.

XXXI. Whereas it will be convenient that the Office of the Duchy of *Cornwall* should be put on the same Footing as certain Public Offices in the Transaction of Law Business: Be it enacted, That whenever any Person shall be appointed by His Royal Highness the Prince of *Wales*, or other the Personage for the Time being entitled to the Possessions of the Duchy of *Cornwall*, to act as Attorney or Solicitor in the Affairs of the said Duchy, it shall be lawful for such Person to act and practise as such Attorney or Solicitor in such Affairs in all and every Court, Jurisdiction, and Place in any and every Part of the United Kingdom, any Statute, Order, Rule, Usage, or Custom relating to Attornies or Solicitors, or the Admission, Inrolment, or Practice of Attornies or Solicitors, to the contrary notwithstanding.

Stannaries of Cornwall and Devon to be united as to Jurisdiction.

XXXII. And whereas it has been represented that the Adventurers, Miners, and others interested in Mines in the County of *Devon* would be benefited by the Extension of the Stannary Court Jurisdiction into that County, and are willing to be contributory to the Expenses of such Extension, in the Manner herein-after provided: Be it therefore enacted as follows:—The Jurisdiction of the Court of the Vice-Warden shall henceforth be extended and exercised over the County of *Devon*, and over the Mines and Miners therein, and the Process of the said Court, both at Common Law and in Equity, shall run in and be executory throughout the Counties of *Devon* and *Cornwall*, and the Forms and Customs of Procedure as now lawfully used and exercised in the Stannaries of *Cornwall* (subject nevertheless to such Amendments or Provisions as are contained in or may be authorized by this Act, and to all other lawful Rules and Orders of the Court,) shall henceforth be adopted, used, and enforced in and throughout the Stannaries and County of *Devon*, and the Stannaries of the said Two Counties shall be and become, for the Purposes of Stannary

Stannary Jurisdiction, One entire District, and the present and all future Vice-Wardens of the Stannaries shall be Vice-Wardens of the Stannaries of and for both Counties, and shall have therein all the like Powers, Privileges, Authority, and Jurisdiction over and in respect of Mines and Miners, and Causes touching the same, in *Devon* as in *Cornwall*, and all Miners and others interested in Mines in *Devon* shall have the Privilege to sue and be sued at Law and in Equity in the Court of the Vice-Warden, and be amenable to the said Court and Vice-Warden, as well by reason of the Person as of the Cause, in like Cases and for like Causes in and for which the Miners and others interested in Mines in *Cornwall* now have such Privilege or are amenable to the said Court and Vice-Warden: Provided always, that the Common Law Jurisdiction of the Vice-Warden in respect of Causes of Action arising in *Devon* shall not extend to or be exercised in the County of *Devon* or to or over Miners therein, except in Causes and in respect of Matters relating to Mines or the Products thereof or Work connected therewith, or to the Working or Management thereof, or the Supply of Materials, Money, or Necessaries, or Performance of Work and Labour to, for, or in respect of such Mines or Works, or relating to the Customs of Mining or Miners, or to Shares or Interests in any Mine or Adventure in Mines.

The Vice-Warden to sit in Devonshire when sufficient Funds shall be provided for such Sitting.

XXXIII. And whereas it will be convenient that Provision should be made for periodical Sittings of the Court in *Devonshire* as well as in *Cornwall:* Be it enacted, That if and when it shall appear to the Council of His Royal Highness the Prince of *Wales*, or the Special Commissioners for managing the Affairs of the Duchy for the Time being, that the Revenue annually arising from the Assessment hereinafter authorized on Mines in *Devonshire* will amount to the Sum of Three hundred and twenty Pounds at the least, over and above the Expense of Collection, the said Council or Commissioners shall have Power to direct that Sittings be held by the Vice-Warden in *Devonshire*, and thereupon the Vice-Warden shall so sit, either by Adjournment from *Truro* or otherwise, at least Four Times in each Year, as he has heretofore been accustomed to do in *Cornwall*, and he shall hold his Sittings either at *Plymouth*, *Devonport*, or *Stonehouse*, in the said County, as to him shall seem fit, subject to the Power of Adjournment in certain Cases, as herein-before provided, and for that Purpose shall have Authority to use and occupy the Public Halls of the said Boroughs, or some other convenient Building provided for such Sittings, at such convenient Times and in such Way as may not interfere with other necessary public Business usually transacted therein, and in that event the said Council or Commissioners shall direct in what Manner, and on what Conditions, Terms, and

and Tenure, Monies arising from such Assessment, or any Part thereof, shall be appropriated, either among the present Officers of the Court and their Successors, or to the Deputies who (with the Assent and Approval of the Vice-Warden) may be employed by such Officers to execute their Duties or any Part of their Duties, when the Court shall be sitting in *Devonshire*, or to new or additional Officers and Clerks, or towards the general Expenses of the Court, so as best to secure the due Performance of the additional Duties and increased Business occasioned by the Extension of the Jurisdiction, and to indemnify the present Officers of the Court for any Expenses to which they may be put by Attendance elsewhere than at *Truro*, and Payment shall be made according to such Appropriation, and it shall be competent for the Council or Commissioners, at the Recommendation of the Vice-Warden, to vary such Appropriation, having due Regard to the Exigencies of Business in the said Court, and the Amount of Funds applicable to the Expenses thereof.

Collector in Devonshire.

XXXIV. There shall be a Collector of the Assessments in the County of *Devon*, to be appointed by the Vice-Warden, with like Duties and Liabilities as in *Cornwall*, who shall receive for such Collection, out of the Monies so collected, an annual Sum not exceeding Thirty Pounds, and shall hold his Office at Will, and it shall be lawful for the Vice-Warden to appoint the same Person to be Collector in both Counties, and to appoint Bailiffs for Service and Execution of Process throughout the whole District of both Stannaries.

Jurors to be qualified as at Assizes.

XXXV. All Jury Trials, whether in Actions, Suits, or Plaints, on the Common Law Side of the Court, arising in the County of *Devon*, or in Issues from the Equity Side, shall be by Persons qualified to serve as Jurors before the Justices of Assize and Nisi Prius in the said County; and for making out Lists of such Jurors, and summoning them, the Vice-Warden shall have and execute the like Powers as in *Cornwall;* and the Persons so qualified to serve shall be liable to challenge, and amenable to the Process of the said Court, and enjoy the same Exemptions in respect of their Attendance and Service as in the Stannaries of *Cornwall:* Provided nevertheless, that until the Vice-Warden shall receive the Directions of the said Council or Commissioners, as above provided, to hold Sittings in the County of *Devon*, it shall not be obligatory on him to hold any Sittings there, nor shall it be obligatory on Persons qualified to serve as Jurors in the Vice-Warden's Court in *Devonshire* to give their Attendance as such at any Court held by him in that County or elsewhere, nor shall any Cause arising in *Devonshire*, and pending before any County Court Judge there, be remitted for Trial or Hearing before the Vice-Warden, as

No Sittings in Devon till Duchy Council or Commissioners shall direct.

as herein-before provided; and in the meantime the said Council or Commissioners shall direct in what Manner and in what Proportions the Revenue arising from Fees and Assessments in respect of Causes and Mines in the County of *Devon* shall be applied towards Court or Office Expenses, or Payment of the present or additional Official Salaries.

Assessment of Mines and Minerals in Devon.

XXXVI. And for the Purpose of providing for the Expenses attendant upon the Extension of the Jurisdiction of the Court into *Devon*, there shall be an Assessment of a Farthing in the Pound on the Value of all Metals and Minerals in that County, as in *Cornwall*, and all the Enactments contained in this and any other Act of Parliament for obtaining and enforcing Returns, and levying and collecting the said Assessment, in *Cornwall*, shall be taken to apply to the like Assessment in *Devon*, and the Collector thereof shall account for all Monies received by him as in *Cornwall*, and such Assessment shall begin at the passing of this Act, and be collected for the First Time at the End of Three Calendar Months next after the passing of this Act; provided, that whenever it shall appear to the Vice-Warden, on auditing the Registrar's Accounts, that there is a Balance in hand sufficient to meet all authorized Payments for the next Half Year, the like Notice thereof and Suspension of Assessment shall take place as in the Assessment in *Cornwall;* and the Registrar of the Court shall keep a separate Account of all Fees and Monies coming into his Hands in respect of Causes and Matters arising in the County of *Devon*, and in respect of the Assessment of Metals and Minerals in that County, and shall render Accounts to the Vice-Warden as in *Cornwall*, and shall be allowed in his half-yearly Account, as well the additional Salaries and Sums lawfully chargeable thereon, as herein-before provided, as the reasonable and needful Expenses of advertising and holding Courts and summoning Jurors in the County of *Devon* (if any be held), and of lighting, warming, cleaning, watching, and keeping the Court, and an Office there (if any), and other like petty Expenses, as allowed in the County of *Cornwall*, and the Amounts so audited shall be filed, and be open for Inspection, as is now used in the said Court.

Commitment of Prisoners in Devonshire.

XXXVII. Persons committed to Prison by the Vice-Warden in respect of Causes or Contempts in the County of *Devon* shall be committed and taken either to the County Gaol at *Exeter* or the Borough Gaol of *Plymouth* or *Devonport*, as shall appear to the Vice-Warden most expedient in each Case, and shall be received, dealt with, maintained, supported, and provided for as if they had been committed to those Prisons by like Process out of the Superior

Courts of Law or Equity at *Westminster*, or by any Court of Civil Jurisdiction held in or for the Borough of *Plymouth* or *Devonport*.

Provision for the eventual Establishment of a separate Court in Devonshire.

XXXVIII. Whenever it shall hereafter appear that a sufficient Fund shall be provided in the Stannaries of *Devon* for the Establishment of a permanent separate Court and a separate Office and Officers in and for a Vice-Warden's Court in the County of *Devon*, it shall be lawful for Her Majesty, by Order in Council, issued at the Instance of the said Council of His Royal Highness, or the Special Commissioners, as aforesaid, to direct that such Court and Office shall be erected and established on the Model of the Vice-Warden's Court as now constituted in *Cornwall*, and to declare that all Provisions of the present Act, and of the several Acts for the Establishment of the said Court in *Cornwall*, so far as they shall be applicable to such new Court in the County of *Devon*, shall be deemed and taken to be in force in the last-mentioned County, and to assign Salaries to the several Officers of the said Court, not exceeding the Salaries appointed before or at the passing of this Act for the like Officers in the County of *Cornwall*, and to declare what Proportion of the Salary now payable to the Vice-Warden of the Stannaries shall thenceforth be contributed out of the Revenue arising in the County of *Devon* if the same Vice-Warden shall be appointed for both Courts, and to make such other Regulations as shall be necessary or expedient for effectually establishing and providing for such separate Court and Office; and thereupon, on the Promulgation of the said Order in Council, the said separate Court and Office shall be and become permanently established in the County of *Devon*, as fully and effectually as if the same had been established and confirmed by Act of Parliament; and all Provisions made by this Act, or by the Council of His Royal Highness, or the said Special Commissioners, under the Authority of this Act, for the Extension of the Jurisdiction of the present Court into the County of *Devon*, shall cease, save only that the Process of the Court in each County in Causes arising in that County shall be executory and executed in and throughout both Counties.

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ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXXIII.

An Act to prevent Doubts as to the Validity of certain Proceedings in the House of Commons.

[15th *June* 1855.]

WHEREAS the House of Commons on the Fourth Day of *August* One thousand eight hundred and fifty-three, Her Majesty having previously signified Her Consent that the House might do therein as they should think fit, resolved as follows: "That whenever the House shall be informed of the unavoidable "Absence of Mr. Speaker, the Chairman of the Committee of Ways "and Means do take the Chair for that Day only, and in the "event of Mr. Speaker's Absence continuing for more than One "Day do, if the House shall think fit and shall so order it, take "the Chair in like Manner on any subsequent Day during such "Absence:" And whereas on the Fourth Day of this present Month of *June*, Mr. Speaker being unavoidably absent by reason of Indisposition, the Right Honourable *Henry FitzRoy*, being the Chairman of the Committee of Ways and Means, took the Chair in pursuance of the said Resolutions: And whereas the House on the same Day further resolved as follows; *viz.*: "That in the event of Mr. Speaker's "Absence continuing for more than this Day, Mr. *FitzRoy* do take "the Chair on each subsequent Day during the present Week:"

And whereas the said Right Honourable *Henry FitzRoy* did, in consequence of the continued Absence of Mr. Speaker, on each subsequent Day during the said Week take the Chair, and perform therein certain Duties appertaining to the Office of Speaker: And whereas Doubts may arise as to the Validity of Acts done or Proceedings taken by or in the House during the Time aforesaid in relation to certain Matters regulated by Statute: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Acts and Proceedings which according to the Provisions of any Statute are required to be done or taken in the House of Commons with their Speaker in the Chair, and which have been done or taken by or in the House while the said Right Honourable *Henry FitzRoy* was in the Chair as aforesaid, shall be and shall be deemed to have been as valid and effectual for all Purposes as if Mr. Speaker himself had been in the Chair during the Time when such Acts and Proceedings respectively were done and taken.

For Removal of Doubts as to the Validity of certain Proceedings in the House of Commons during the Absence of Mr. Speaker.

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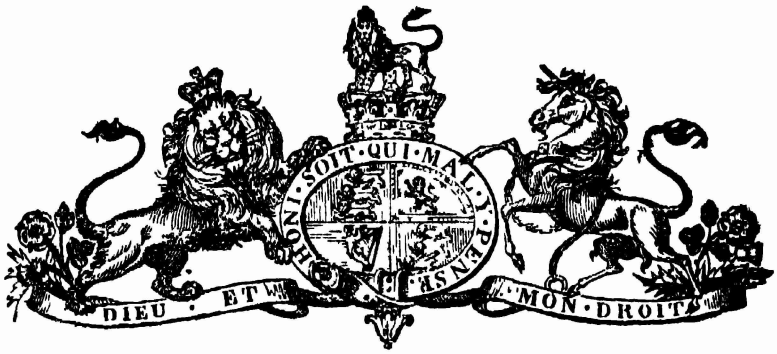

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VICTORIÆ REGINÆ.

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CAP. XXXIV.

An Act to provide for the Education of Children in the Receipt of Out-door Relief.

[26th *June* 1855.]

WHEREAS it is expedient that Means should be taken to provide Education for the young Children of poor Persons who are relieved out of the Workhouse: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,—

Guardians may grant Relief to enable certain poor Persons to provide Education for their Children.

I. That the Guardians of any Union or any Parish in *England* wherein the Relief to the Poor is administered by a Board of Guardians may, if they deem proper, grant Relief for the Purpose of enabling any poor Person lawfully relieved out of the Workhouse to provide Education for any Child of such Person between the Ages of Four and Sixteen in any School to be approved of by the said Guardians, for such Time and under such Conditions as the said Guardians shall see fit.

Education of Poor Children.

Poor Law Board may issue Orders to regulate Proceedings of Guardians.

II. Provided, That the Poor Law Board may at any Time issue their Order to regulate the Proceedings of the Guardians with reference to the Mode, Time, or Place in or at which such Relief shall be given or such Education received.

Such Education not to be a Condition of Relief.

III. Provided also, That it shall not be lawful for the Guardians to impose as a Condition of Relief that such Education shall be given to any Child of the Person requiring Relief.

Cost of Relief to be charged to the same Account as the other Relief.

IV. The Cost of the Relief so given for the Education of any such Child shall be charged to the same Account as the other Relief granted by the said Guardians to the same poor Person, and may be given by the said Guardians, and recovered by them as a Loan, under the same Circumstances and in like Manner as such other Relief.

Orphans and deserted Children may be relieved.

V. In the Case of any Child of such Age as aforesaid relieved out of the Workhouse, which Child has been deserted by its Parents or surviving Parent, or both whose Parents are dead, it shall be lawful for such Guardians in their Discretion, and with the like Power of Regulation on the Part of the Poor Law Board as aforesaid, to grant Relief for the Purpose of providing Education for such Child in any such School as aforesaid.

Act to be construed with 5 W.4. c. 76.

VI. The Words used in this Act shall be construed in like Manner as the Words contained in the Act of the Fifth of *William* the Fourth, Chapter Seventy-six, and the several Acts incorporated therewith.

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Friendly Societies to be entitled to Benefits of recited Acts.

Acts mentioned, in or with any Friendly Society legally established under any Act of Parliament relating to Friendly Societies, shall be entitled to all the Benefits and Advantages conferred by the said recited Acts; provided that the Premiums payable in respect of such Insurances shall not be made for shorter Periods than Three Months.

Provisions of 16 & 17 Vict. c. 91. to continue in force and be applicable to Duties granted by 17 & 18 Vict. c. 24. and 18 & 19 Vict. c. 20.

II. The said Act shall continue in force until the Fifth Day of *July* One thousand eight hundred and fifty-six, and shall be applicable, with respect to the Rate of Duty of One Shilling and Twopence for every Twenty Shillings granted by the Act of the last Session of Parliament, Chapter Twenty-four, and to the additional Rate of Duty of Twopence for every Twenty Shillings granted by the Act of the present Session of Parliament, Chapter Twenty, in like Manner as to the Rate or Duty of Sevenpence for every Twenty Shillings granted by the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Thirty-four.

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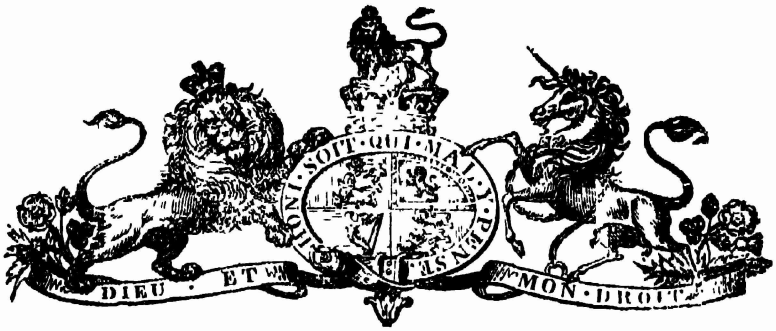

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. XXXVI.

An Act to repeal the Stamp Duties payable on Matriculation and Degrees in the University of *Oxford*. [26th *June* 1855.]

WHEREAS by an Act passed in the last Session of Parliament (Chapter Eighty-one) "to make further Provision for "the good Government and Extension of the University "of *Oxford*, of the Colleges therein, and of the College of *Saint* "*Mary Winchester*," it was enacted, that the Stamp Duties then payable on Matriculations and Degrees should be abolished so soon as Provision should have been made by the University, to the Satisfaction of the Commissioners of Her Majesty's Treasury, in lieu of the Monies theretofore voted annually by Parliament: And whereas by a Statute of the said University, adopted by Convocation on the Thirty-first Day of *May* One thousand eight hundred and fifty-five, Provision has been made for the Payment out of the University Chest of the Salaries and Allowances to certain Professors of the said University, mentioned in the Schedule to this Act (being the same Salaries and Allowances as were theretofore annually voted by Parliament to the same Professors), and the Commissioners of Her Majesty's Treasury are satisfied that such Statute is a due Provision in lieu of the Monies theretofore voted annually by Parliament, as intended by said Act: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

17 & 18 Vict. c. 81.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duties on Matriculation and Degrees in Oxford repealed.

I. All Stamp Duties payable under the Act of the Fifty-fifth Year of King *George* the Third, Chapter One hundred and eighty-four, or under any other Act of Parliament, on the Admission or Matriculation of any Person in the said University of *Oxford*, and on the Admission of any Person to any Degree in the said University (whether conferred in the ordinary Course of the University or otherwise), or for the Registry or Entry of any such Admission, shall from and after the said Thirty-first Day of *May* cease to be payable.

Salaries payable under University Statute not to be discontinued without Consent of the Treasury.

II. No Salary or Allowance payable under the said Statute of the said University to any Professor mentioned in the Schedule to this Act shall be discontinued or reduced without the Consent of the Commissioners of Her Majesty's Treasury.

SCHEDULE.

	£
To the Professor of Mineralogy	100
To the Professor of Geology	100
To the Professor of Experimental Philosophy	100
To the Professor of Chemistry	100
To the Professor of Modern History	371
To the Professor of Botany	182

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VICTORIÆ REGINÆ.

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10,000,000*l.* out of the Consolidated Fund.

of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 10,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

II. It shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Ten Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

The Clauses, &c. in recited Acts extended to this Act.

III. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 10,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Ten Millions, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William*

William and Queen *Mary*, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

VI. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England*, under the Authority of this Act.

Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Monies raised by Bills to be applied to the Services voted by the Commons.

VIII. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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Naphtha or Methylic Alcohol, or with such other Article or Substance as the said Commissioners shall from Time to Time approve, order, and direct, and as to the Satisfaction of the said Commissioners shall render such Spirit unfit for Use as a Beverage, and incapable of being converted to that Purpose, and thereupon such Mixture shall be allowed Duty-free for Use in such Branches of the Arts and Manufactures of the United Kingdom as the said Commissioners shall sanction or approve in that Behalf, or if such Mixture shall be made by a Rectifier with Duty-paid Spirit of Wine, he shall be allowed a Drawback of the Duty on such Spirit of Wine at the Rate chargeable on Spirits of the like Strength distilled in that Part of the United Kingdom where such Mixture shall be made.

The Mixture to be termed Methylated Spirit.

II. The said Mixture of Spirit of Wine with Wood Naphtha or Methylic Alcohol shall be denominated Methylated Spirit, and the Mixture of Spirit of Wine with any other Substance appointed or approved by the said Commissioners for the Purpose aforesaid shall be designated by such Term as they shall from Time to Time direct; and wherever in this Act the Term Methylated Spirit is used the same shall be deemed to include any and every such other Mixture as last mentioned, and the several Provisions of this Act shall be deemed to apply to any and every such last-mentioned Mixture as if the Term by which the said Commissioners shall direct the same to be designated had been substituted in this Act for and in lieu of the Term Methylated Spirit.

Persons (other than Distillers or Rectifiers) authorized to make Methylated Spirit to pay for a Licence for that Purpose.

III. Every Person who shall be authorized by the Commissioners of Inland Revenue to make or mix Methylated Spirit (other than a Distiller or Rectifier of Spirits) shall take out a Licence for that Purpose, and shall pay the Sum of Ten Pounds and Ten Shillings for the Duty thereon; and such Licence and Payment of Duty thereon shall be renewed annually on the First Day of *October* in every Year, so long as such Person shall continue to be authorized as aforesaid to make or mix Methylated Spirit; and every such Licence shall be granted and renewed in like Manner as other Excise Licences are granted and renewed, and under and subject to the Provisions and Regulations of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one.

Places of mixing to be approved and entered, and Removal of Articles for mixing and of Methylated

IV. The mixing of Spirit of Wine with Wood Naphtha or Methylic Alcohol or any such Article or Substance as aforesaid shall be made only in such Warehouses, Buildings, and Rooms as the said Commissioners shall from Time to Time approve, and of which the Distiller or Rectifier or Person specially licensed as aforesaid, proposing to make such Mixture, shall specially make Entry for that Purpose

Purpose with the proper Officer of Excise; and the Removal of such Spirit of Wine, and of any such Article or Substance as aforesaid, to any such entered Place of mixing, and the Time and Mode of mixing the same, and the Sale, Delivery, and Removal of the Methylated Spirit therefrom, shall be under and subject to such Rules, Regulations, and Restrictions, and with and under such Securities, as the said Commissioners may from Time to Time make, direct, or require in that Behalf.

Spirit to be made under the Regulations of the Commissioners.

V. All Wood Naphtha or Methylic Alcohol, or other such Article or Substance as aforesaid, to be mixed with such Spirit of Wine, shall before the mixing thereof be examined by and subject to the Approval of an Officer of Excise appointed in that Behalf; and it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, to provide the Wood Naphtha, Methylic Alcohol, or other such Article or Substance, as aforesaid, for and at the Expense of the Person proposing to make such Mixture.

Wood Naphtha, &c. to be inspected by Officer before mixing, and Commissioners may provide same.

VI. It shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, to provide Warehouses for the making, mixing, and storing of Methylated Spirit, and also to provide Workmen requisite in that Behalf, and to charge in respect of all Methylated Spirit made, mixed, or stored in any such Warehouse the Rate of One Penny *per* Gallon *per* Month, and the like Rate for any fractional Part of a Month, as a Compensation for Warehouse Rent and such Labour as aforesaid.

Commissioners may provide Warehouses and Labour for mixing and storing Methylated Spirit for a certain Payment.

VII. The proper Officer of Excise shall keep a Stock Account, by Way of Debtor and Creditor, of all Methylated Spirit made by every Maker of such Spirit, and shall in such Account debit the Stock with the Quantity of such Spirit from Time to Time made or added thereto, and shall credit the same with the Quantity from Time to Time duly and legally sent out therefrom; and in the keeping and taking of every such Account all such Methylated Spirit shall be calculated to Proof Gallons and Fractions thereof, and for this Purpose the Strength of such Methylated Spirit as indicated by Sykes's Hydrometer shall be deemed to be the true Strength thereof; and if at any Time the Quantity of Methylated Spirit found in the Stock or Possession of any such Maker shall exceed by a greater Rate than One *per Centum* the Quantity thereof which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Maker, computing such Rate of One *per Centum* on the Quantity of Methylated Spirit formed by the Balance left on the last Stock-taking and the Quantity thereof since made and duly added to such Stock, all such excess Quantity of Methylated

A Stock Account to be kept of Methylated Spirit in the Possession of every Maker.

Excess of Stock to be forfeited, and Deficiency to be charged with Duty.

lated Spirit shall be forfeited, and may be seized by any Officer of Excise; and if at any Time the Quantity of Methylated Spirit found in the Stock or Possession of any such Maker shall be deficient by a greater Rate than Two *per Centum*, calculated as aforesaid, of the Quantity thereof which by such Stock Account ought to be in the Stock or Possession of such Maker, he shall be charged with and shall pay for all such deficient Quantity the Rate of Duty chargeable upon Spirits distilled in that Part of the United Kingdom where such Stock shall be kept.

Methylated Spirit to be delivered only from an entered Place, and accompanied by a Permit.

VIII. No Methylated Spirit shall be sold, sent out, or delivered from any Place other than a Warehouse, Building, or Store-room approved and duly entered as aforesaid for the mixing or storing of such Spirit, or otherwise than in Vessels containing not less than Ten Gallons, each distinctly labelled with the Words "Methylated Spirit," and accompanied by a proper Permit or other such Document as the said Commissioners may order or direct to be used to accompany such Spirit on the Removal thereof; and if any Person shall unlawfully or improperly sell, send out, deliver, or remove any Methylated Spirit, contrary to any of the Provisions of this Act, or the Regulations of the said Commissioners to be made in this Behalf, he shall forfeit the Sum of Fifty Pounds, and such Methylated Spirit shall be forfeited, and may be seized by any Officer of Excise.

Penalty for unlawful Delivery or Removal, 50*l.*, and Forfeiture of the Spirit.

Persons to be authorized by the Commissioners to receive Duty-free Methylated Spirit for Use in the Arts or Manufactures.

IX. The Commissioners of Inland Revenue shall, by themselves or their Officers, license or authorize such Persons as the said Commissioners shall think fit to receive Methylated Spirit Duty-free, to be used in the several Branches of the Arts or Manufactures carried on by them respectively, and shall provide and deliver to such Persons Forms of Requisition to be used by them in procuring Methylated Spirit from the Makers thereof, and Counterfoils of such Requisitions to be filled up and retained by such licensed or authorized Persons for the Inspection of the Officers of Excise; and every such Requisition shall be accompanied by a Certificate signed by an Officer of Excise to be authorized by the said Commissioners in that Behalf, certifying that the Applicant is a Person so licensed or authorized as aforesaid; and no Methylated Spirit shall be sold or delivered to any Person except upon his delivering to the Maker thereof a Requisition for the same in such Form as shall be supplied to him for that Purpose, together with such Certificate as aforesaid.

Persons authorized to receive Duty-free Methylated Spirit to give

X. Every Person who may be licensed or authorized as aforesaid to receive Duty-free Methylated Spirit under the Provisions of this Act shall enter into a Bond to Her Majesty, with Sureties to the Satisfaction of the Commissioners of Inland Revenue, and in such Sum

Sum and with a Condition in such Form as they shall think fit, as a Security that such licensed or authorized Person will use such Methylated Spirit wholly in the Art or Manufacture specified in such Condition which such Person carries on, and that he will not use the same or any Portion of it for any other Purpose, or sell or dispose of it in any other Manner, and further, that such licensed or authorized Person will with respect to all such Methylated Spirit observe, comply with, and fulfil all the Provisions, Terms, and Conditions of this Act, and the Rules and Regulations which the said Commissioners shall make and issue under the Authority hereof.

Security for the proper Use of it in their Manufactures.

XI. All Permits, Certificates, Forms of Requisition, and other Documents to be used under the Provisions of this Act shall be provided in the Manner directed by the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixteen, as to Permits, and by the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her present Majesty's Reign, Chapter One hundred and twenty-one, as to Certificates, Forms of Requisition, and other such Documents as aforesaid; and all Clauses, Regulations, Pains, Penalties, and Forfeitures contained in or enacted by the said several Acts in relation to Permits and Certificates respectively shall be applied and enforced with respect to the Permits, Certificates, Forms of Requisition, and other Documents to be used under the Provisions of this Act, for the Purpose of preventing, detecting, and punishing all Frauds, Forgeries, and other Offences committed in relation to such last-mentioned Permits and Certificates, and to such Forms of Requisition and other Documents respectively, and for all other Purposes incident to the Use thereof.

Enactments in former Acts as to Permits and Certificates to be applied to Permits, Certificates, &c. under this Act.

XII. Every Person so licensed or authorized as aforesaid to receive Methylated Spirit shall, on ordering the same from the Maker thereof, correctly fill up the Form of Requisition with the proper Quantity to be ordered and other Particulars which may be required by any Regulation of the said Commissioners to be inserted in such Requisition; and he shall also correctly fill up the Counterfoil of such Requisition with all such Particulars as aforesaid, and retain such Counterfoil, and produce and deliver the same to any Officer of Excise who may require to inspect the same, under the Penalty of Fifty Pounds for any Neglect, Omission, or Refusal in respect of any Matter or Thing in this Clause enjoined or required to be done.

Persons ordering Methylated Spirit to fill up Requisition and Counterfoil, and produce the latter to Officer when required.

XIII. It shall be lawful for any Officer of Excise, in the Daytime, to enter and inspect the Premises where Methylated Spirit is or may be used by any Person licensed or authorized as aforesaid to use the same;

Officers of Excise may enter Premises where Methylated

Spirit is used, and inspect and take Samples.

same; and it shall also be lawful for any such Officer to inspect, examine, and take Samples from all such Methylated Spirit as he may there find, paying a reasonable Compensation for such Samples; and if any Person shall refuse to allow such Officer to enter any such Premises, or to make such Inspection or Examination, or to take any such Sample as aforesaid, such Person so refusing shall forfeit the Sum of Fifty Pounds.

Commissioners may revoke Authority to make or use Methylated Spirit, or Approval of Places for making or storing same.

XIV. Provided always, That it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, at any Time, to revoke their Licence or Authority granted to any Person to make or to receive or use Duty-free Methylated Spirit, under the Provisions of this Act, and also to revoke their Approval of any Warehouse, Building, or Room as a Place for mixing, making, or storing any such Spirit.

Makers not to supply Methylated Spirit to Persons whose Authority to use the same is revoked.

XV. Provided always, That no Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to any Person respecting whom Notice in Writing shall have been given to such Maker by any Supervisor or other Superior Officer of Excise, that the Licence or Authority granted to such Person to receive or use Methylated Spirit has been revoked, or that such Person is otherwise disqualified to receive or use such Spirit, notwithstanding that such Person may produce and deliver to such Maker of Methylated Spirit a proper Form of Requisition for such Spirit, accompanied by such Certificate as herein-before mentioned; and if any Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to or for the Use of any Person respecting whom he shall have received any such Notice as aforesaid, such Maker shall be charged with and shall pay for and upon such Spirit the Rate of Duty chargeable upon Spirits distilled in that Part of the United Kingdom where he shall make Methylated Spirit.

Methylated Spirit found in the Possession of a Person not entitled to have same, or in an unentered Place, forfeited, and Penalty incurred.

XVI. No Person, other than a Distiller or Rectifier or licensed Person authorized respectively to make Methylated Spirit, or a Person licensed or authorized, under the Provisions of this Act, to receive and use Methylated Spirit, shall have any such Spirit in his Possession; and if any Methylated Spirit shall be found in the Possession of any Distiller or Rectifier or Person licensed to make such Spirit, otherwise than in a Room or Place duly entered for making, mixing, or storing such Spirit, or if any Methylated Spirit shall be found in the Possession of any Person not licensed or authorized as aforesaid, except on the Removal thereof accompanied by a proper Permit or Certificate in that Behalf, all such Methylated Spirit so found as aforesaid shall be forfeited, and may be seized by any

any Officer of Excise, and the Person in whose Possession the same shall be found shall forfeit the Sum of One hundred Pounds.

XVII. This Act shall commence and take effect on the First Day of *October* One thousand eight hundred and fifty-five. Commencement of Act.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. XXXIX.

An Act to facilitate Grants of Lands and Tenements for the Purpose of Religious Worship and other Purposes connected therewith.

[26th *June* 1855.]

WHEREAS many Congregations of Persons not belonging to the Established Church in *Ireland* have been and are in many Cases prevented from erecting suitable Buildings for Religious Worship, and for the Residence of their Clergymen, Ministers, and Pastors, and Schoolhouses for the Education of their Children, and from providing suitable Burial Grounds, by the Difficulty of obtaining Leases of Land of sufficient Duration for such Purposes, and in many Cases have been obliged to use for the Purposes aforesaid Lands granted or demised for Terms of short or uncertain Duration, and it is expedient that Tenants for Life and other Persons having limited Interests in Lands should be enabled for the Purposes aforesaid to make Grants or Leases for any Period not exceeding the Estate or Interest out of which such limited Interest is created, and to accept Surrenders of and convert into Leases for such extended Period any Leases of short or uncertain Duration already made for such Purposes or any of them: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. In the Construction of this Act the Words "Grantor" or "Lessor" shall extend to a Body Politic, Corporate, or Collegiate, making Grants or Leases:

The Word "Lessee" shall include the personal Representatives of any Lessee and his lawful Assigns:

The Word "Person" shall include any Body Politic, Corporate, or Collegiate:

The Expression "Perpetual Interest" shall comprehend, in addition to any greater Interest, any Estate for One or more than One Life, with or without a Term for Years, or for Years, whether absolute or determinable on One or more than One Life, with a Covenant or Agreement by a Party competent thereto for perpetual Renewal:

The Expression "Successors in Estate" shall extend to and include the Persons entitled for the Time being after the Lessor to the actual Receipt of the Rents and Profits of the Lands comprised in the Lease, under the same Title, Settlement, or Will with the Lessor, or under the Exercise of any Power affecting such Title or continued in such Settlement or Will, and who but for the making of the said Lease would be entitled to Possession of the Lands, or to the Possession subject to any other existing Lease or Tenancy:

The Word "entitled" shall mean entitled either legally or equitably:

The Word "Settlement" shall include every Assurance or connected Set or Series of Assurances, whether by Deed, Will, Private Act of Parliament, or otherwise, by which Lands are or shall be limited in a Course of Settlement, or agreed so to be.

Short Title.

II. In citing this Act in any Instrument, Document, Proceeding, or Act of Parliament, it shall be sufficient Designation to use the Expression "The Leasing Powers Act for Religious Worship in (*Ireland*), 1855."

With respect to the Persons hereby empowered to make Leases:

Power to make Leases of Land of not more than Five Acres for religious Purposes.

III. Every Person herein-after described entitled in possession to any Estate or Interest herein-after named in Lands in *Ireland*, or to the Receipt of any Rents and Profits thereof, whether or not such Estate shall be subject to any Mortgage or other Incumbrance (provided the Incumbrancer shall not be in possession), shall have Power to make Leases of any Part of the said Lands, (other than the Mansion House and Demesne Lands or Parks, Plantations, Gardens, Orchards, or Pleasure Grounds and Appurtenances belonging to

to or usually occupied with such Mansion House,) and not exceeding in the whole Five Acres, for the Purposes and Periods of Time, and subject to the Rents, Rights of Apportionment of Rent, Covenants, and Conditions herein stated; (that is to say,)

(1.) Her Majesty the Queen and Her Successors; the Commissioners of Her Majesty's Woods and Forests in respect of Lands situate in the Kingdom of *Ireland*:

(2.) Tenants in Fee Simple or Fee Farm or seised of any other perpetual Estate subject to any Mortgage or Incumbrance:

(3.) Tenants in Tail or Quasi-Entail of an Estate of Inheritance or perpetual Interest:

(4.) Tenants for the Term of their own Lives, not being Jointresses, or for the Life or Lives of any other Person or Persons, or for so many Years as they may live, or any partial Owner, for an unexpired Term of Years not being less than Sixty Years in its Inception, and whether absolute or determinable on a Life created out of an Estate of Inheritance or perpetual Interest by any Settlement, and not in consideration of or subject to any Rent reserved thereby:

(5.) Married Women entitled to any Estate specified in Numbers (2.), (3.), or (4.) for their separate Use, and whether restrained or not from Anticipation:

(6.) Tenants by the Courtesy of *England*:

(7.) Husbands seised in right of their Wives, or by Entireties with their Wives, provided that the Wife is entitled to any such Estate as is specified in Number (2.), but whether subject to any Incumbrance or not, or in Numbers (3.) or (4.), and shall be a consenting and executing Party to the Lease, not being under Age:

(9.) Corporations Lay, Eleesmosynary, and Collegiate, whether aggregate or sole: Provided, that no Lease made by any Municipal Corporation or Board of Guardians of the Poor shall be valid without the Licence in Writing in the Case of a Municipal Corporation of the Commissioners of Her Majesty's Treasury, and in the Case of such Board of Guardians of the Poor of the Poor Law Commissioners for Ireland, such Licence to be written on or annexed to the said Lease:

(10.) Trustees and Feoffees of Charitable Uses of a public Nature, and seised or possessed of an Estate in Fee Simple, Fee Farm, or other perpetual Interest:

(11.) Trustees under any Will or Settlement entitled in Fee Simple or for a perpetual Interest or to any Estate specified in Number

Number (4.), and having a Power to sell the same: Provided, however, that when such Power is to be exercised with the Consent of any Person no such Lease shall be valid without such Consent.

And with respect to Cases of Disability of Parties otherwise entitled to make Leases:

In Cases of Disability of Parties, Guardians, &c. may make Leases.

IV. In case any Person (not being a Trustee or Feoffee of charitable Uses of a public Nature) who would be entitled to make Leases under this Act or otherwise shall happen to be under any of the following Disabilities or Incapacities, the Power shall be exercised in his or her Name and on his or her Behalf in the following Manner: If under the Age of Twenty-one Years, by his or her Guardian appointed by Will or Settlement, or by the Court of Chancery; and if such Person have no Guardian, it shall be lawful for the Court of Chancery in *Ireland*, on Petition in a summary Way, to appoint a Guardian of such Person under Age, for the Purpose of executing any Lease under this Act, in the Manner aforesaid, and to change him from Time to Time, and the Power shall be executed by the Guardian so appointed: If lunatic or idiot, or *non compos mentis*, by the Committee of the Estate; and if there shall be no Committee of the Estate, or no Inquisition finding such Person idiot or lunatic, it shall be lawful for the Court of Chancery in *Ireland*, by Petition in a summary Way, to appoint a Guardian of such Person, for the Purpose of executing any Lease under this Act, and to change such Guardian from Time to Time, and the Power shall be executed as aforesaid by the Guardian so appointed: Provided always, that no Lease made under this Act of the Estate of any Person under Age or of unsound Mind or *non compos mentis* shall be valid without the Consent of the Court of Chancery, to be obtained in a summary Manner by Petition to the said Court of Chancery by any Party interested thereon.

The Purposes and Periods of Time for which Leases may be made under this Act shall be as follows:

Forms of Leases under this Act.

V. A Lease made by a Person empowered by this Act may be made of any Quantity of Land, not exceeding in the whole Five Acres, for a Site for a Place of Worship for such Congregation, and for the Residence of their Clergymen, Ministers, or Pastors, and for the Erection of a School or Schools and School Accommodation in connexion therewith, and for a Burial Ground for the Interment of its deceased Members, or for any One or more of such Purposes, and such Leases may be made in Fee Farm, or for any Term not exceeding Nine hundred and ninety-nine Years.

VI. Where

VI. Where any Lease or Grant shall have been made before the passing of this Act for any of the Purposes aforesaid, and for a Period less than the Term for which a Lease may be made under this Act, it shall be lawful for the Person enabled to make a Lease of such Land under this Act to accept a Surrender of such existing Lease or Grant, and make a new Lease under this Act of the same Land, or of the same Land and any other Land in conjunction therewith, provided that the entire Quantity comprised in such new Lease shall not exceed Five Acres.

Provisions as to Leases made previous to the Act.

VII. The Rent reserved in any Lease made under this Act shall be the best improved Rent that at the Time of making such Lease can be obtained or reasonably expected from a solvent Tenant without Fine or Consideration of any Kind: Provided always, that in case of the Surrender of an existing Lease, and the Grant of a new Lease, of the same Land, under Section Six, the Value of any Buildings, Erections, or Improvements on said Lands theretofore made for any of the Purposes aforesaid shall not be taken into account in estimating the Rent to be reserved in such new Lease.

Rent reserved in any Lease to be the best improved Rent.

VIII. Every Lease made under this Act shall specify the Purposes for which it shall be made, and shall imply the following Covenants, Conditions, and Agreements on the Part of the Lessee, his Heirs, Executors, and Administrators, with the Lessor, his Executors, Administrators, and Successors in Estate, and the same shall be as effectual and binding as if they were expressly inserted in such Lease:

Conditions, &c. of Leases to be specified.

That the Lessee shall pay, when due, the Rent reserved, and all Taxes and Impositions payable by the Tenant:

That the Lessee shall repair, maintain, and keep the demised Premises during the Term in good and substantial Repair, with all Buildings, Fixtures, and Improvements:

That the demised Premises shall be applied for no other Purposes than those expressed in the Lease, or of the like Nature, and in default thereof it shall be lawful for the Lessor and his Successors in Estate to re-enter:

That in case the said Lands shall not be used for any of the Purposes expressed in said Lease for a Period of Three Years, it shall be lawful for the Lessor and his Successors in Estate to re-enter:

That it shall be lawful for the Landlord and his Agent at all reasonable Times to enter on and inspect the Premises:

Also to re-enter in case of any unlawful Assignment or Subletting.

Reserved Rent and Covenants of Lease to enure to proper Owner.

IX. The Rents reserved and the Covenants and Conditions contained or implied in any Lease made under this Act shall enure to the Persons who for the Time being would, if such Lease had not been made, be entitled to the actual Possession of the Lands comprised in the said Lease, or to the Receipt of the Rents and Profits thereof, according to their Estates and Interests therein.

Lease to be by Indenture.

X. Every Lease made under this Act shall be by Indenture sealed and delivered by or on behalf of the Lessor in the Presence of One or more than One Witness, and a Counterpart of every such Lease shall be executed by the Lessee thereof.

And with respect to the Force and Efficacy of Leases to be made pursuant to this Act, be it enacted as follows:

Lease to be binding on Lessor, his Heirs and Successors in Estate.

XI. Every Lease made pursuant to the Provisions of this Act shall be valid and effectual to bind the Lessor, his Heirs, Executors, Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor derives, and notwithstanding any Entail, Law, or Custom to the contrary, and whether there be any leasing Power annexed or belonging to the Estate of such Lessor, but so as not to prejudice or interfere with any other Power of leasing to him belonging.

Informality in Proceedings not to affect the Lease.

XII. Where any Lease made in the intended Exercise of any supposed leasing Power conferred by this or any other Act of Parliament, or by any Settlement, shall be invalid by reason of the Lessor not having at the Time Power to make such Lease, and the Estate of such Lessor in the Lands comprised in such Lease shall have continued or shall have accrued and continued until after such Lease might have been lawfully granted, such Lease shall take effect out of such Estate, and be as valid as if it had been granted at such last-mentioned Time, provided such Lease had not been then already surrendered or relinquished.

Lease, in virtue of Power, valid though not expressed.

XIII. Where any Lease shall be made by a Lessor having a Power of leasing the Lands comprised in such Lease, and such Lease cannot take effect or have Continuance independently of such leasing Power, every such Lease shall take effect and be as valid as if the same were intended and had been expressed to have been granted in exercise of the said Power, although such Power be not referred to.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. XL.

An Act for further promoting the Establishment of free Public Libraries and Museums in *Ireland*.

[26th *June* 1855.]

WHEREAS it is expedient to amend the Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and one, and to give greater Facilities for the Establishment in *Ireland* of free Public Libraries and Museums or Schools of Science and Art: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

16 & 17 Vict. c. 101. and Sec. 99. of 17 & 18 Vict. c. 103. repealed.

I. The said Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and one, and Section Ninety-nine of the Towns Improvement Act (*Ireland*), 1854, are hereby repealed; but such Repeal shall not invalidate or affect anything already done in pursuance of either of such Acts; and all public Libraries and Museums established in *Ireland* under either of those Acts shall be considered as having been established under this Act.

Short Title.

II. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The Public Libraries Act (*Ireland*), 1855."

Interpretation of Terms.

III. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say, "Town" shall mean and include any City, Borough, Town, or Place in which Commissioners, Trustees, or other Persons have been or shall be elected or appointed under the Act of the Ninth

Year of King *George* the Fourth, Chapter Eighty-two, or the "Towns Improvement Act (*Ireland*), 1854," or any Local or other Act or Acts for paving, flagging, lighting, watching, cleansing, or otherwise improving any City, Borough, Town, or Place, for the Execution of any such Act or Acts, or superintending the Execution thereof, and in which there shall not be a Town Council or other such Body elected under the Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight, or any other Charter granted in pursuance of such Act, or any Act passed for the Amendment thereof; "Town Commissioners" shall mean the Commissioners, Trustees, or other Persons for the Time being elected or appointed under any such first-mentioned Acts as aforesaid; "Town Fund" shall mean the Town Fund, or the Rates or Property vested in and under the Control and Direction of any Town Commissioners, and applicable to the Purposes of any such Acts; "Town Rate" shall mean the Rate or Rates authorized to be levied by any such Town Commissioners; "Mayor" shall include Lord Mayor; "Clerk" shall mean, as regards an incorporated Borough, the Town Clerk of such Borough, and as regards a Town in which there shall be Town Commissioners, the Clerk appointed by the Town Commissioners; "Householder" shall mean a Male Occupier of a Dwelling House, or of any Lands, Tenements, or Hereditaments within any Town or incorporated Borough, and entitled for the Time being to vote at Elections of Commissioners, Aldermen, or Councillors in such Town or Borough.

Act may be adopted in any incorporated Borough or any Town.

IV. The Council or Board of Municipal Commissioners of any incorporated Borough in *Ireland* regulated under the said Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight, or any Charter granted in pursuance of such Act, or any Act passed for the Amendment thereof, the Population of which, according to the then last Census thereof, shall exceed Five thousand Persons, or the Town Commissioners of any Town in *Ireland* having such a Population as aforesaid, may, if they think fit, appoint a Time for a Public Meeting of the Householders of the Borough or Town, as the Case may be, in order to determine whether this Act shall be adopted for the Borough or Town, and Ten Days Notice at least of the Time, Place, and Object of the Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the Borough or Town, and also by advertising the same in One or more of the Newspapers published or circulated within the Borough or Town Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of such Persons as aforesaid then present shall determine that this Act ought to be adopted for the Borough or Town, the same shall thenceforth take effect and come into operation in such Borough or Town, as the Case may be, and shall be carried into execution, in accordance with the Laws for the Time being in force relating to the Municipal Corporation of such Borough, or relating to such Town.

Expenses of carrying Act into execution in

V. The Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in such Borough, shall be paid out of the Borough

Borough Fund, and in such Town out of the Town Fund; and the Council, or Board of Municipal Commissioners, or Town Commissioners, may levy as Part of the Borough Rate or Town Rate, as the Case may be, or by a separate Rate to be assessed and recovered in like Manner as the Borough Rate or Town Rate, all Monies from Time to Time necessary for defraying such Expenses; and distinct Accounts shall be kept of the Receipts, Payments, and Liabilities of the Council with reference to the Execution of this Act.

a Borough or Town to be paid out of the Borough Fund or Town Fund.

VI. Such Accounts shall be audited in the same Way as all other Accounts of such Borough or Town respectively are audited, and the said Council or Board or Town Commissioners shall, within One Month after the same shall have been audited, transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being a true and correct Copy of such Accounts; and shall also within the Time aforesaid cause a Copy of such Accounts to be deposited in the Office of the Clerk; and the said Accounts shall be open to the Inspection of all Householders of such Borough or Town respectively, and Copies thereof shall be delivered to any such Householder applying for the same, upon Payment of a reasonable Charge for the same, to be fixed by the Council or Board or Town Commissioners, as the Case may be.

Accounts to be audited, and sent to Lord Lieutenant, &c.; to be deposited, and open to Inspection.

VII. The Town Commissioners of every Town adopting this Act shall for the Purposes thereof be a Body Corporate, with perpetual Succession, by the Name of "The Commissioners for Public Libraries " and Museums for the Town of in the County of " ", and by that Name may sue and be sued, and hold and dispose of Lands, and use a Common Seal.

Commissioners of Towns adopting this Act to be incorporated for Purposes of Act.

VIII. The Amount of the Rate to be levied in any Borough or Town in any One Year for the Purposes of this Act shall not exceed the Sum of One Penny in the Pound, and in any such Borough shall be assessed, raised, collected, and levied in the same Manner as the Borough Rate, and in any such Town shall be assessed, raised, collected, and levied in the same Manner as the Town Rate.

Rate not to exceed One Penny in the Pound.

Houses and Lands to be differently rated.

IX. The Council or Board of any Borough and the Town Commissioners of any Town respectively may from Time to Time, with the Approval of Her Majesty's Treasury, appropriate for the Purposes of this Act any Lands vested, as the Case may be, in a Borough in the Mayor, Aldermen, and Burgesses, and in a Town in the Town Commissioners, and may also, with such Approval, purchase or rent any Lands or any suitable Buildings, and the Council or Board and Town Commissioners respectively may, upon any Lands so appropriated, purchased, or rented respectively, erect any Buildings suitable for Public Libraries or Museums or Schools of Science and Art, or both, and may apply, take down, alter, and extend any Buildings for such Purposes, and rebuild, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.

X. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act; but the Council or Board, and Commissioners respectively

Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

respectively shall not purchase or take any Lands otherwise than by Agreement.

Lands, &c. may be sold or exchanged.

XI. The Council or Board and Commissioners aforesaid respectively may, with the like Approval as is required for the Purchase of Lands, sell any Lands vested in the Mayor, Aldermen, and Burgesses, or Board, or Town Commissioners respectively, for the Purposes of this Act, or exchange the same for any Lands better adapted for the Purposes; and the Monies to arise from such Sale, or to be received for Equality of Exchange, or a sufficient Part thereof, shall be applied in or towards the Purchase of other Lands better adapted for such Purposes.

General Management to be vested in Council or Board, or Town Commissioners.

XII. The general Management, Regulation, and Control of such Libraries and Museums or Schools of Science and Art shall be, as to any Borough, vested in and exercised by the Council or Board, and as to any Town, in and by the Town Commissioners, or such Committee as they respectively may from Time to Time appoint, who may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Newspapers, Maps, and Specimens of Art and Science, for the Use of the Library or Museum, and cause the same to be bound or repaired, when necessary, and appoint salaried Officers and Servants, and dismiss the same, and make Rules and Regulations for the Safety and Use of the Libraries and Museums or Schools of Science and Art, and for the Admission of Visitors.

Property of Library, &c. to be vested in Council, Board and Commissioners respectively.

XIII. The Lands and Buildings so to be appropriated, purchased, or rented as aforesaid, and all other Real and Personal Property whatever presented to or purchased for any Library or Museum or School of Science and Art established under this Act, shall be vested, in the Case of a Borough, in the Mayor, Aldermen, and Burgesses, and in the Case of a Town in the Town Commissioners.

If Meeting determine against Adoption of Act, no fresh Meeting to be called for One Year.

XIV. If any Meeting called as herein-before provided to consider as to the Adoption of this Act for any Borough or Town shall determine against such Adoption no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting.

Museums to be free.

XV. The Admission to all Libraries and Museums established under this Act shall be open to the Public free of all Charge.

This Act to be incorporated with Local Acts in force in Borough or Town.

XVI. Upon the coming into operation of this Act in any Borough it shall, as regards such Borough, be incorporated with the said Act of the Third and Fourth *Victoria*, Chapter One hundred and eight, and upon the coming into operation of this Act in any Town it shall, as regards such Town, be incorporated with the Act or Acts in force therein relating to the Powers and Duties of the Town Commissioners.

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to be discharged, but such Order not to be made until Costs are paid.

Ecclesiastical Court before whom such Proceedings shall have been had shall make an Order upon the Officer in whose Custody such Person is for discharging such Person out of Custody, and such Officer shall, on the Receipt of such Order, forthwith discharge such Person; and it shall not be necessary for such Person to take any Oath of future Obedience to his or her Ordinary: Provided always, that such Order shall not be made unless the Costs lawfully incurred in any such Suit shall have been previously paid into the Registry of such Ecclesiastical Court, or unless the Person against whom such Costs shall have been decreed shall have already suffered Imprisonment for One Month in consequence of Nonpayment thereof.

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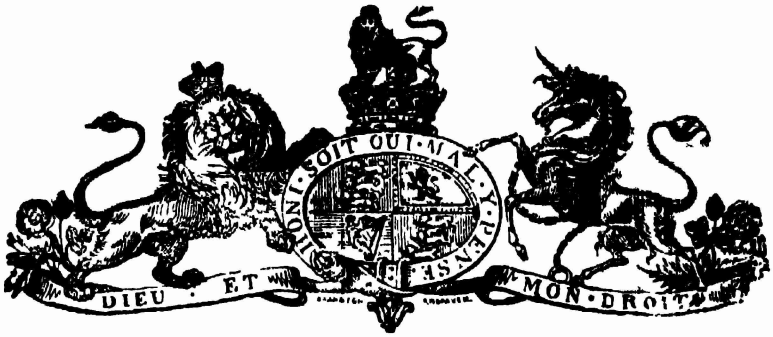

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he shall see necessary, to administer in such Foreign Country or Place any Oath or to take any Affidavit or Affirmation from any Person whomsoever, and also to do and perform in such Foreign Country or Place all and every Notarial Acts or Act which any Notary Public could or might be required and is by Law empowered to do within the United Kingdom of *Great Britain* and *Ireland;* and every such Oath, Affidavit, or Affirmation, and every such Notarial Act, administered, sworn, affirmed, had, or done by or before such Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of Embassy or of Legation, Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent, shall be as good, valid, and effectual, and shall be of like Force and Effect, to all Intents and Purposes, as if such Oath, Affidavit, or Affirmation, or Notarial Act, respectively, had been administered, sworn, affirmed, had, or done before any Justice of the Peace or Notary Public in any Part of the United Kingdom of *Great Britain* or *Ireland*, or before any other legal or competent Authority of the like Nature.

Affidavits taken before Ambassadors, &c. abroad may be used in Courts in the United Kingdom.

II. Affidavits and Affirmations so taken as aforesaid under the said Act of King *George* the Fourth or this Act shall and may be received, read, and made use of in and before any Court of Law or Equity or other Judicature whatever in any Part of the United Kingdom, and the Judges and Officers thereof, in or in relation to any Action, Suit, Cause, Matter, or Proceeding in or before any such Court or Judicature, in like Manner, and shall be of the same Force and Effect, as Affidavits and Affirmations taken in or before such Court or Judicature, or by any Person duly commissioned or authorized by such Court or Judicature to take such Affidavits or Affirmations, and shall be filed and dealt with accordingly.

Documents to be admitted in Evidence without Proof of the Seal or Signature of the Ambassador or other official Person.

III. Any Document purporting to have affixed, impressed, or subscribed thereon or thereto the Seal and Signature of any *British* Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of Embassy or of Legation, Consul Géneral, Consul, Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent, in testimony of any such Oath, Affidavit, Affirmation, or Act having been administered, sworn, affirmed, had, or done by or before him, shall be admitted in Evidence, without Proof of any such Seal and Signature being the Seal and Signature of the Person whose Seal and Signature the same purport to be, or of the official Character of such Person.

Persons swearing or affirming falsely guilty of Perjury.

IV. Any Person knowingly and wilfully making any false Oath, Affidavit, or Affirmation before any Person having Authority to administer such Oath or take such Affidavit or Affirmation under the said Act of King *George* the Fourth or this Act, shall be deemed guilty

guilty of Perjury, and such Offender may be charged, proceeded against, tried, and dealt with in any County or Place in the United Kingdom in the same Manner in all respects as if the Offence had been committed in such County or Place.

V. If any Person shall forge any such Seal or Signature as aforesaid, or shall tender in Evidence any such Document as aforesaid with a false or counterfeit Seal or Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for the Term of Four Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Years nor less than One Year; and whenever any such Document has been admitted in Evidence by virtue of this Act, the Court or the Person who has admitted the same may, at the Request of any Party against whom the same is so admitted in Evidence, direct that the same shall be impounded and be kept in the Custody of some Officer of the Court or other proper Person for such Period, and subject to such Conditions, as to the said Court or Person shall seem meet; and every Person charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County, District, or Place in which he may be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County, District, or Place in which the principal Offender may be tried.

Persons forging Seal or Signature guilty of Felony.

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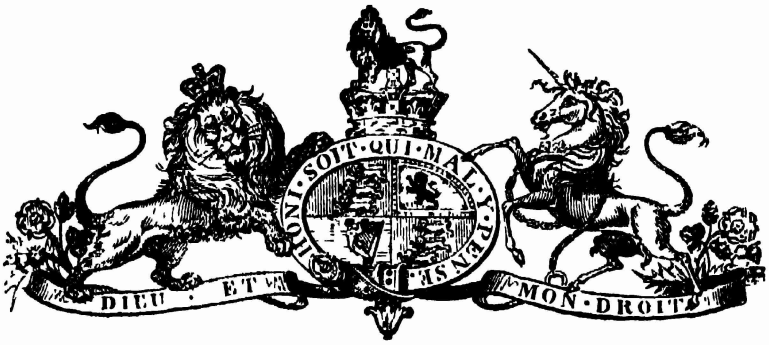

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CAP. XLIII.

An Act to enable Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage. [2d *July* 1855.]

WHEREAS great Inconveniences and Disadvantages arise in consequence of Persons who marry during Minority being incapable of making binding Settlements of their Property: For Remedy whereof be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Infants may, with the Approbation of the Court of Chancery, make valid Settlements or Contracts for Settlements of their Real and Personal Estate upon Marriage.

I. From and after the passing of this Act it shall be lawful for every Infant upon or in contemplation of his or her Marriage, with the Sanction of the Court of Chancery, to make a valid and binding Settlement or Contract for a Settlement of all or any Part of his or her Property, or Property over which he or she has any Power of Appointment, whether Real or Personal, and whether in Possession, Reversion, Remainder, or Expectancy; and every Conveyance, Appointment, and Assignment of such Real or Personal Estate, or Contract to make a Conveyance, Appointment, or Assignment thereof, executed by such Infant, with the Approbation of the said Court,

 for

for the Purpose of giving Effect to such Settlement, shall be as valid and effectual as if the Person executing the same were of the full Age of Twenty-one Years: Provided always, that this Enactment shall not extend to Powers of which it is expressly declared that they shall not be exercised by an Infant.

In case Infant die under Age, Appointment, &c. to be void.

II. Provided always, That in case any Appointment under a Power of Appointment, or any disentailing Assurance, shall have been executed by any Infant Tenant in Tail under the Provisions of this Act, and such Infant shall afterwards die under Age, such Appointment or disentailing Assurance shall thereupon become absolutely void.

The Sanction of the Court of Chancery to be given upon Petition.

III. The Sanction of the Court of Chancery to any such Settlement or Contract for a Settlement may be given, upon Petition presented by the Infant or his or her Guardian, in a summary Way, without the Institution of a Suit; and if there be no Guardian, the Court may require a Guardian to be appointed or not, as it shall think fit; and the Court also may, if it shall think fit, require that any Persons interested or appearing to be interested in the Property should be served with Notice of such Petition.

Not to apply to Males under 20, or Females under 17 Years of Age.

IV. Provided always, That nothing in this Act contained shall apply to any Male Infant under the Age of Twenty Years, or to any Female Infant under the Age of Seventeen Years

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CAP. XLIV.

An Act to amend an Act of last Session, to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in *Dublin*. 2d *July* 1855.]

WHEREAS an Act was passed in the last Session of Parliament, to provide, amongst other things, for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts in *Ireland*, and it is expedient to amend the said Act as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 99.

I. So much of the Twelfth Section of the said recited Act as enables Persons who shall have made a Donation to the Governors and Guardians of the National Gallery of *Ireland*, for the Purposes of their Trust, of not less than Two Guineas in Money, to vote at the Election and Nomination of Persons to fill Vacancies in such Governors and Guardians, shall be and the same is hereby repealed; and the Donors of Ten Pounds to vote at Election of Governors.

Privilege of voting at such Election and Nomination shall extend and apply only to every Donor of Money to the said Governors and Guardians of a Sum not less than Ten Pounds in Money: Provided always, that the Provisions of the said Act for the Election and Nomination of Governors and Guardians of the said Gallery shall not hereby be affected (except as herein-after mentioned), further or otherwise than by substituting Donors of not less than Ten Pounds in Money for Donors of not less than Two Guineas in Money, as aforesaid.

Donors of Ten Pounds to any Fund transferred to the Governors of the National Gallery to vote at Election of Governors.

II. Every Person who shall have been a Subscriber of a Sum not less than Ten Pounds in Money to any Fund raised by public Subscription, and appropriated for the Purposes of the said National Gallery by the Subscribers to such Fund or the Trustees thereof (by and with the Consent of the Governors and Guardians of the said Gallery, or of the Building Trustees created by the said Act of last Session for the Purposes of their Trust respectively), shall be deemed a Donor of the like Sum to the Governors and Guardians of the National Gallery of *Ireland*, and shall be entitled to vote and take part at such Elections of Governors and Guardians to the said Gallery, as in the said Act and herein-before mentioned.

Joint Donors entitled to vote at Elections of Governors, &c.

III. In every Case where a Subscription exceeding Ten Pounds in Money to the said Governors and Guardians, or to any Fund appropriated as aforesaid, shall have been or shall hereafter be made jointly by Two or more Donors, each of such joint Donors shall be entitled to vote at such Elections of Governors and Guardians, as herein-before mentioned, in case the Amount of such joint Subscription when divided by the Number of such joint Donors shall give a net Subscription of Ten Pounds or upwards for each of such Donors, but not otherwise.

Five to be a Quorum of the Board of Governors, &c.

IV. At all Meetings of the Body Corporate of the Governors and Guardians of the said National Gallery Five shall be a Quorum for the Transaction of Business: Provided nevertheless, that no Painting, Statue, or other Work of Art shall be purchased for the said Gallery, or out of the Funds of the said Body Corporate, unless such Purchase shall be authorized by a Resolution of the said Governors and Guardians passed at a Meeting at which at least Nine Members of the said Body Corporate shall be present.

Power to Public Bodies to deposit Works of Art in the

V. It shall be lawful for the Governors, Directors, or Trustees of every public Institution, and for the Governing Body of every Corporation, having or which shall have or be possessed, in trust or otherwise, of any Statue, Painting, or other Work of Art, and they and

and every of them are hereby empowered, by and with the Consent of the said Governors and Guardians of the National Gallery of *Ireland*, from Time to Time to deposit the same in the Custody and Charge of the last-mentioned Governors and Guardians, for Exhibition, for and during such Time and Times, and subject to such Conditions for securing the proper Care and Preservation of such Works of Art, as may be agreed upon; and it shall be lawful for the said Governors and Guardians of the National Gallery of *Ireland*, out of the Funds of the said Body Corporate, from Time to Time to expend such Sums of Money as they may think proper in defraying the Expense of the Transmission to and from their Gallery and of the Insurance of any Works of Art as may from Time to Time be lent to or deposited with the said Governors and Guardians by any public Bodies, Trustees, or private Individuals.

National Gallery of Ireland.

VI. The Eleventh Section of the said Act of last Session shall be and the same is hereby repealed; and each of the Governors and Guardians of the National Gallery of *Ireland*, save and except the First Five of them mentioned in the Seventh Section of the said Act, shall continue to hold Office, subject to the Provisions of the said Act, for the Term of Five Years at a Time from the Time of his becoming such Governor and Guardian, and not longer, but at the Expiration of such Five Years he shall be eligible to be re-appointed or re-elected as such Governor and Guardian.

17 & 18 Vict. c. 99. s. 11. repealed as far as regards Number of outgoing Governors.

VII. This Act shall be construed with the said Act of last Session as One Act; and in all Acts, Deeds, Documents, Proceedings, Suits, and Prosecutions this Act and the said Act of last Session may be cited and described by the Name of "The National Gallery of *Ireland* Acts, 1854–55."

This Act and 17 & 18 Vict. c. 99. as One.

Short Title.

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CAP. XLV.

An Act for further assimilating the Practice in the County Palatine of *Lancaster* to that of other Counties with respect to the Trial of Issues from the Superior Courts at *Westminster*.

[16th *July* 1855.]

WHEREAS by the Common Law Procedure Act, 1852, Section One hundred and three, it was enacted, that Records of the Superior Courts at Common Law should be brought to Trial and entered and disposed of in the Counties Palatine in the same Manner as in other Counties: And whereas it was provided by the Fifth Section of the Twenty-fourth Chapter of an Act passed in the Twenty-seventh Year of the Reign of King *Henry* the Eighth, that Justices of Assize to be made and assigned within the County Palatine of *Lancaster* should be made and ordained by Commission under the King's usual Seal of *Lancaster*, and in pursuance of the said Proviso One Chief Justice and One other Justice, being respectively Judges of the Superior Courts at *Westminster*, have been from Time to Time constituted and ordained, by Grants contained in separate Letters Patent under the Seal of the County Palatine of *Lancaster*: And whereas it is expedient to make further Provision for assimilating the Practice of the said County Palatine of *Lancaster* to that of other Counties, with respect to the Trial of Issues from the Superior Courts of Common Law at *West-*

minster: Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: It shall be lawful for Her Majesty, Her Heirs and Successors, hereafter to issue Commissions of Assize under the Seal of the County Palatine of *Lancaster* directed to the Judges appointed for the Time being to the respective Offices of Chief Justice and Justice of Common Pleas within the said County Palatine of *Lancaster*, and to such of Her Majesty's Counsel learned in the Law, Serjeants and Barristers-at-Law, having Patents of Precedence, or Precedence within the Bar, of the County Palatine of *Lancaster*, and other Serjeants-at-Law to be from Time to Time selected for that Purpose, authorizing and commanding them to take all the Assizes, Juries, and Certificates, before whatever Justices arraigned, in the said County of *Lancaster*, in like Manner and with the like Effect as such Commissions are issued into other Counties, together with the like Writs or Commissions of Association, and other Writs and Proceedings, as in other Counties, and that every Person so authorized shall have the like Power to be and act as a Judge or Commissioner of Assize for the Trial of Issues from the Superior Courts of Law at *Westminster* and other Issues in the said County Palatine of *Lancaster* as any Person so authorized has in any other County, and shall also be deemed to be authorized by such Commission, and shall thereby have full Authority to act as a Judge for the Trial of any Issues of Fact in any Causes depending in the said Court of Common Pleas at *Lancaster*: Provided, and it is declared, that nothing herein contained shall deprive the Chief Justice or Justice appointed or so ordained as aforesaid by Grant contained in Letters Patent of any Authority or Jurisdiction to try Issues from the Superior Courts at *Westminster* and other Issues in the said County Palatine of *Lancaster*, and that all Trials of such Issues heretofore had or to be had before such Chief Justice or Justice constituted or ordained as aforesaid shall be deemed to have been and to be tried by competent Authority, and that the acting Prothonotary for the Time being of the Court of Common Pleas at *Lancaster* shall continue to officiate as Associate in the said County Palatine of *Lancaster*, as heretofore, and shall accordingly be named in such Commissions of Association and other Writs and Proceedings.

Her Majesty may issue Commissions to Chief Justice, &c. of Common Pleas in the County Palatine of Lancaster, &c. authorizing them to take all the Assizes, Juries, &c. in the said County in like Manner as in other Counties.

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CAP. XLVI.

An Act for disafforesting the Forest of *Woolmer*.

[16th *July* 1855.]

WHEREAS the Queen's most Excellent Majesty in right of Her Crown is seised to Herself, Her Heirs and Successors, of and in *Woolmer Forest* in the County of *Southampton*, and of and in the Soil thereof, and the Timber and other Trees, Bushes, and Underwood standing and growing thereon, subject to divers Claims of Rights of Common and other Rights and Interests of Her Majesty and of divers of Her Majesty's Subjects in and over the same or some Portions thereof: And whereas by an Act passed in the Session of Parliament held in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Cultivation of Navy Timber in the Forest of* Woolmer *in the County of* Southampton, it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, from Time to Time to inclose, sever, and improve, within and out of the Waste Lands of the said Forest, any Quantity of the said Lands not exceeding in the whole Two thousand Acres, to be inclosed and held in Severalty at One and the same Time, and that such Inclosure should remain in Severalty in the actual Possession of His Majesty, His Heirs and Successors, freed and discharged of and from all manner of Rights, Titles, Pretences, and Privileges or Claims whatsoever, (other than 52 G. 3. c. 71.

and

and except as therein stated,) during the Period of the same remaining so inclosed for the Growth and Preservation of Timber, and until the same or any Part thereof should be laid open, under the Provisions of the now reciting Act: And whereas, in pursuance of the Powers in the said Act contained, certain Parts of the Waste Lands of the said Forest, containing in all One thousand seven hundred Acres or thereabouts, were inclosed for the Purposes of the said Act, and continue inclosed: And whereas the Lands in the said Forest might be made more valuable and productive if the said Forest were disafforested: And whereas Her Majesty has been graciously pleased to signify Her Consent that the said Forest should be disafforested, and that the Officers of Her Majesty of or for the said Forest should be discharged, and that such Allotment should be made to Her Majesty in respect of Her Estate, Rights, and Interests in and over the said Forest, and that such Compensation should be made to the Officers of the said Forest, as herein-after provided: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Act (in part) repealed.

I. So much of the said recited Act as is inconsistent with any Part of this Act shall be and the same is hereby repealed.

Appointment of Commissioners for ascertaining Boundaries of the Forest, and for carrying this Act into execution.

II. The Provisions of this Act shall be carried into execution by Commissioners to be appointed as herein-after mentioned; and for the Purpose of ascertaining the Boundaries of the said Forest, the Commissioners for carrying this Act into execution shall be Three in Number, One of whom shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for *England* and *Wales* for the Time being, and the Third shall be appointed by the Lord Chief Justice of the Court of Queen's Bench for the Time being; and for carrying all the other Requirements of this Act into execution there shall be but One Commissioner, to be appointed as aforesaid, who shall be the Commissioner appointed by the Inclosure Commissioners for *England* and *Wales;* and so often as any Vacancy shall occur, by Death, Resignation, or Incapacity, a new Commissioner shall be appointed, in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners, or such sole Commissioner, when appointed respectively, shall be the Commissioners or the sole Commissioner for carrying this Act into execution respectively, and all Acts and Powers to be performed by or given to the said Three Commissioners under the Provisions herein contained may be performed or exercised by any Two of such Three Commissioners.

III. Every

III. Every Commissioner shall, before he enters upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

Commissioners to make and subscribe Declaration before entering upon Execution of Office.

'I DO solemnly declare, That I will faithfully, impartially, and 'honestly, according to the best of my Skill and Judgment, execute 'the Powers and Duties of a Commissioner under an Act passed 'in the Year of the Reign of Queen Victoria, intituled '"An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

IV. It shall be lawful for the said Commissioners and sole Commissioner from Time to Time to employ a Land Surveyor and Valuer in such Manner as they respectively shall think necessary.

Commissioners to employ a Land Surveyor and Valuer.

V. Every Land Surveyor and Valuer so to be employed shall, before entering upon the Duties of his Office, make and subscribe, before the Commissioners of this Act, or before One of such Commissioners, (who are hereby severally authorized to administer or receive the same,) the Declaration following:

Land Surveyor and Valuer to make and subscribe Declaration of Fidelity.

'I DO solemnly declare, That I will faithfully, impartially, and 'honestly, according to the best of my Skill and Judgment, 'perform all the Duties which may devolve upon me as a Land 'Surveyor and Valuer in the Matter of an Act passed in the 'Year of the Reign of Queen Victoria, intituled "An Act," *&c.* '[*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

VI. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, pay and allow to the Commissioners and sole Commissioner of this Act such Sum not exceeding the Sum of Seven hundred and fifty Pounds as shall be thought sufficient and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be conclusively determined by the Commissioners of Her Majesty's Treasury), and shall also allow to the said Commissioners and sole Commissioner of this Act respectively all Costs and Expenses of employing any such Land Surveyor and Valuer as aforesaid, and all other reasonable Expenses incurred by them

The Commissioners of Woods to pay the Commissioners of this Act the Expenses incurred in the Performance of their Duties.

them respectively in the Performance of their respective Duties under this Act.

The Three Commissioners to ascertain the Boundaries of the Forest, which, when ascertained, to be the true Boundaries of the Forest for the Purposes of Act.

VII. The said Three Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest, and to determine all Claims relating thereto, and for that Purpose shall or may make use of any existing Maps, Plans, or Surveys, at their Discretion; and the said Commissioners shall by their Award in Writing, executed in Duplicate within One Year from the passing of this Act, certify and determine the Boundaries of the said Forest, and the Boundaries as ascertained and determined by the said Commissioners shall be held to be the true Boundaries of the said Forest for all the Purposes of this Act.

All Lodges and Lands held therewith, and all Inclosures made under the Authority of the 52 G. 3. c. 71., to be vested in Her Majesty as Part of the Hereditary Possessions of the Crown, freed from all Rights.

VIII. So soon as the Boundaries of the said Forest shall have been ascertained as aforesaid, all and every Parts and Part of the said Forest of which Her Majesty is seised in right of Her Crown, discharged of all Common and other Rights, and also all and every the Lodges and Lands inclosed and held therewith by the Keepers or other Officers of Her Majesty (being certain Parts of the said Forest of which Her Majesty is also seised in right of Her Crown, to Herself, Her Heirs and Successors, discharged of all Common and other Rights), and also all the said Pieces of Land, amounting in the whole to One thousand seven hundred Acres, so inclosed under the Authority of the said recited Act, shall become and be vested in Her Majesty, Her Heirs and Successors, as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from all Rights of Common and other Rights, and from all Claims and Demands whatsoever.

Allotment to Her Majesty in satisfaction of Her Rights.

IX. The said sole Commissioner shall thereupon proceed to set out and allot to Her Majesty, Her Heirs and Successors, such Part or Parts of the remaining Part of the said Forest as with the said Pieces of Land amounting together to One thousand seven hundred Acres, and so inclosed as aforesaid, he shall think a full, fair, and sufficient Compensation to Her Majesty for all Her forestal and other Rights in and over the said Forest, and also for all the Rights which Her Majesty, Her Heirs or Successors, is or may be entitled to exercise and enjoy in and over the said Forest or any Part or Parts thereof, under the Authority of the said recited Act, or otherwise howsoever; and such Allotment or Allotments, when made, shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne, as of Fee and as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged

discharged from all Rights and Claims of Common and all other Rights and Claims whatsoever.

X. In making such Allotment or Allotments as aforesaid, the said sole Commissioner shall and he is hereby required to set out and allot such Part or Parts of the said Forest as shall be conveniently situated for Occupation with the said Pieces of Land amounting to One thousand seven hundred Acres, hereby vested in Severalty in Her Majesty, Her Heirs and Successors, as aforesaid.

Allotment to be made where most convenient to other Lands vested in Her Majesty.

XI. On the making of such Award by the sole Commissioner as herein-after directed, the said Forest of *Woolmer* shall be for ever disafforested, and the Residue of the said Forest shall thereupon become and be the Property of the several Persons entitled to Rights of Common in and over the said Forest, as they are now entitled to the same, freed and discharged of and from all Right of Soil or other Right or Claim of Her Majesty, Her Heirs and Successors, in, to, or over the said Residue of the said Forest.

On the making of Award, Forest to be disafforested.

XII. And for enabling the said sole Commissioner to make his Award, it shall be lawful for the said Commissioners of Woods, on behalf of Her Majesty, to produce and give to and before the said sole Commissioner Evidence in support of Her Majesty's Rights or any of them, and of the Value thereof; and it shall be lawful for any Person or Persons who, in the Opinion of the said sole Commissioner, shall be interested in the Premises, to appear before the said sole Commissioner, and to adduce such Evidence as in the Opinion of the said sole Commissioner shall be admissible, for the Purpose of controverting any Statement or Evidence made or offered to the said sole Commissioner in support of the Claims or Rights of Her Majesty, or of the Value thereof respectively.

Commissioners of Woods to produce Evidence in support of the Rights of the Crown, to enable the sole Commissioner to make his Award.

XIII. The said sole Commissioner shall make his Award in Writing within Two Years from the passing of this Act; and such Award shall be executed in Duplicate, and One Part (together with One Part of the Award determining the Boundaries of the said Forest) shall be deposited in the Office of Land Revenue Records and Inrolments, and the other Part thereof (together with the other Part of the said Award determining the Boundaries) shall be deposited with the Clerk of the Peace for the said County of *Southampton*, there to remain, and to be examined by all Persons, at all reasonable Times, on Payment of a Fee of One Shilling for each Examination.

Award of Commissioner to be made within Two Years.

XIV. It shall be lawful for the Commissioners of Woods to exercise all the same Powers over and in respect of the Lands, Lodges, and other the Hereditaments respectively hereby vested in or to be allotted to Her Majesty as aforesaid as they are or at any Time hereafter shall

Commissioners of Woods to exercise same Powers over Lodges &c. as over other

Lands of Her Majesty not being Royal Forests.

shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

The Commissioner may make Roads proper for the Enjoyment of the Forest over any Part of the Forest, and (with the Owner's Consent) through inclosed Lands.

XV. The sole Commissioner of this Act may, if he shall think fit, set out and allot such Roads and Ways through and over the said Forest as he shall consider proper and necessary, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as the said Commissioner shall think fit, and may agree to make Compensation to such Owners or Owner for making such Roads or Ways over such adjoining Lands; and such Roads shall become and be public Highways, and be kept and maintained as such, without any Notice or other Proceeding whatsoever; and, after setting out the same, all other Roads or Ways over the said Forest shall be shut up and discontinued.

The Expenses of such Roads to be defrayed by the Sale of Parts of the Forest.

XVI. The sole Commissioner of this Act shall cause such of the said Roads to be made as he in his sole Discretion shall think necessary, and shall for the Purpose of defraying the Expenses thereof, and also for the Purpose of making such Compensation (if any) as he may agree to give to any such Owner or Owners of the adjoining inclosed Lands as aforesaid, sell so much of the Waste Lands of the said Forest not hereby vested or directed to be vested in Her Majesty as he shall find necessary for these Purposes, for which Purposes his Conveyance shall vest an indefeasible Estate of Inheritance in Fee Simple in the Purchaser or Purchasers, and the Receipt of the said Commissioner shall be a sufficient Discharge for the Purchase Money; and if there shall be any Surplus of any Monies which arose from any such Sale after answering the aforesaid Purposes, the said Commissioner shall apply the same towards defraying any of the Expenses by this Act directed to be paid.

After Award, all Letters Patent, &c., to cease, and Compensation made therefor out of the Land Revenues of the Crown.

XVII. Immediately after the Award of such sole Commissioner shall have been made as herein-before directed all and every Letters Patent, Grants, Appointments, and Warrants of any Offices, Bailiwicks, Walks, or Lodges in or for the said Forest of Woolmer, and all Salaries, Gratuities, and Fees lawfully payable or allowed in respect of the same, shall thenceforth cease, and Compensation shall be made by the Commissioners of Her Majesty's Woods out of the Land Revenues of the Crown to the several Officers of the said Forest of *Woolmer* (whether holding Lodges and Land within the said Forest by virtue of the several Offices, or not), in consideration of the Cessation of the said several Offices, and on their relinquishing and giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto under any Grant, Letters Patent, Appointment, or Warrant as aforesaid, which Compensation shall in every distinct and separate Case be referred to and ascertained

ascertained by the Commissioners of Her Majesty's Treasury, or by such Person as they shall for that Purpose appoint, on the Part of Her Majesty, and by such indifferent Person as shall be appointed on the Part of each and every Officer of the said Forest interested or concerned in the Premises, and which said Commissioners of Her Majesty's Treasury, or other the Person or Persons so to be appointed as aforesaid, are hereby empowered to send for Persons and Papers, and to examine the Parties and Witnesses upon Oath, if necessary (which Oath any One of the said Commissioners of the Treasury, or the Person or Persons so to be appointed as aforesaid, is hereby authorized and empowered to administer); provided that, in case any Difference of Opinion shall arise on any Matter or Question touching or concerning such Compensation, then the said Referees shall from Time to Time forthwith appoint any proper and competent Person or Persons to act as an Umpire or Umpires concerning the Premises, to whom all and every such Differences shall be referred, and whose Judgment shall be binding, to all Intents and Purposes whatsoever.

Provision as to Costs.

XVIII. All the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and all other Costs, Charges, and Expenses incurred by the Commissioners of Woods in and about the Execution of this Act, shall be borne and paid by them as Part of the Costs of Management of the Land Revenues of Her Majesty.

Commissioners may, if they think fit, examine Witnesses upon Declaration.

XIX. The Commissioners or sole Commissioner of this Act may examine upon Declaration all such Persons as they or he may think fit, who attend before them or him for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form:

'I *A.B.* do solemnly declare, That the Evidence I shall give before you touching the Matter in question shall be the Truth, the whole Truth, and nothing but the Truth.'

Persons giving false Evidence guilty of Misdemeanor.

XX. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor.

LONDON:
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VICTORIÆ REGINÆ.

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CAP. XLVII.

An Act to continue an Act of the Eighteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund.

[16th *July* 1855.]

WHEREAS by the Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, certain Provisions made by the several Acts therein referred to, for charging upon the Common Fund of the Union the Costs of the Relief and of the Burial of certain poor Persons in those several Acts described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until the Thirtieth Day of *September* in this present Year, and to the End of the then next Session of Parliament; and it is expedient that such Provisions should be further continued for a limited Time: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 17 & 18 Vict. c. 43.

I. That all the said several temporary Provisions continued by the said Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, shall Provisions in recited Act further continued.

shall further continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-six, and to the End of the then next Session of Parliament.

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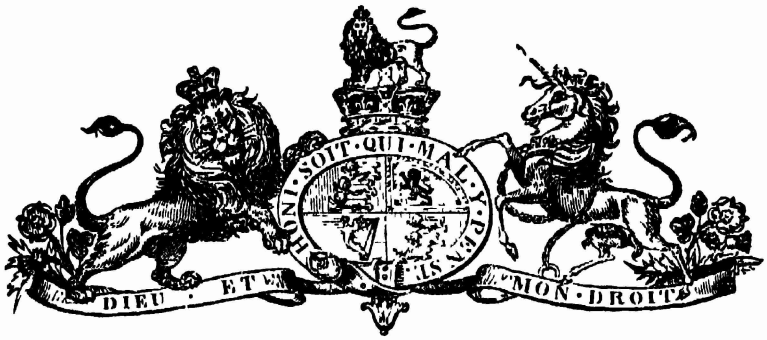

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VICTORIÆ REGINÆ.

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and Constable shall have and retain Jurisdiction, Power, and Authority to execute all Writs of Fieri facias directed to and received by him on or before the said Thirtieth Day of *September* One thousand eight hundred and fifty-five, as fully, to all Intents and Purposes, as if this Act had not passed.

Writs and Judgments to be directed and executed in the Cinque Ports as in other Places.

II. From and after the Thirtieth Day of *September* One thousand eight hundred and fifty-five Her Majesty's Writs in or in relation to all Actions, Suits, and Civil Proceedings shall be directed and obeyed, and the Jurisdiction of Her Majesty's Courts of Law and Equity, and of the Judges thereof, and the Judgments and Process thereof in relation to such Actions, Suits, and Proceedings, shall extend and be exercised and executed in respect of, over, and within the Cinque Ports, the Two ancient Towns of *Winchelsea* and *Rye*, and their several Members and Liberties, in like Manner and to the same Extent to and for all Intents and Purposes as such Writs, Jurisdiction, Judgments, and Process respectively are now directed, obeyed, exercised, and executed in respect of, over, and within other Places in *England;* and the Sheriff and other Ministers of Counties shall, in the Execution of such Judgments, Writs, and Process, and for all other Purposes of Civil Justice, have such and the like Powers and Authorities within the Cinque Ports, the said Two ancient Towns, and their several Members and Liberties, as they respectively have in other Parts of their Counties.

On Petition of Inhabitants of Parishes within the Thanet Division, Her Majesty may order such Parishes to be Part of said County,

III. If the Persons rated to the Relief of the Poor within the District or Division called the *Thanet* Division of *Dover*, which comprises the Parishes or Places of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle*, *Birchington*, *Acol* otherwise the *Ville of Wood*, or within the Parishes of *Beakesbourne* and *Grange* otherwise *Grench*, or the Persons so rated within any One or more of such Parishes or Places, shall petition Her Majesty, stating that the Justices of the County of *Kent*, at their Annual General Session, or at any Adjournment thereof, have resolved that the Parishes or Places aforesaid or any One or more of them may be permitted to belong to the County of *Kent*, on Payment by the said Parishes or Places to the County of a Sum of Money to be named in such Resolution, in respect of the Expenditure made by the said Justices in Gaols, Houses of Correction, Courts of Justice, Lunatic Asylums, and other Buildings, and praying that the Parishes or Places aforesaid or any One or more of them may be deemed to be Part of the said County, it shall be lawful for Her Majesty, if She shall think fit, by the Advice of Her Privy Council, to order that the said Parishes or Places or such One or more of them as shall so petition shall, from a Date to be fixed in such Order, be deemed to be Part of the said County; and from and after that Period the

the Justices for the Time being assigned to keep the Peace in and for such County shall exercise the Jurisdiction of Justices of the Peace in and for the Parishes or Places named in such Order as fully as by Law they and each of them can or ought to do in and for other Places in such County.

and County Justices to have Jurisdiction.

IV. It shall be lawful for the Justices of the said County of *Kent* at their Annual General Session, or at any Adjournment thereof to be holden after such Order, to levy and raise upon and from the rateable Property of the Inhabitants of the Parishes or Places comprised in the said Order the Sum or Sums of Money mentioned in such Resolution, by such annual or other Instalments as may in such Resolution have been stipulated and agreed by fair and equal Rates in the Nature of County Rates to be paid to the Treasurer of the said County, and applied in aid of the County Rate, and the said Justices of the said County shall have the same Powers and Remedies for making, levying, and recovering the said Rates as they now or for the Time being may by Law have for making, levying, and recovering the County Rates from Parishes lying partly within the Jurisdiction of the Justices of the said County, subject to all Rights and Remedies of Appeal and otherwise to which County Rates are or may be liable.

Justices of Kent empowered to levy County Rates in the Parishes and Places which may be severed from Dover.

V. From and after the Day fixed in such Order, or from and after the granting of a Charter of Incorporation to the said Parishes or Places or any One of them, or any Part or Parts thereof, the Act of the Fifty-first Year of King *George* the Third, Chapter Thirty-six, and Section One hundred and thirty-five of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, and Section Eleven of the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and five, and so much of Section Ten of the same Act as enacts that the Noncorporate Members and Liberties of the Towns and Ports of *Hastings*, *Sandwich*, *Dover*, and *Hythe*, and ancient Town of *Rye*, shall and may be chargeable and charged by the Courts of General or Quarter Sessions of the Peace holden for the same respectively with a due Proportion of the Expenses of such Towns and Ports and ancient Town respectively, and the Noncorporate Members and Liberties thereof, to the Payment of which Expenses Rates in the Nature of County Rates are applicable, and that the same shall and may be assessed and levied in the Manner in which Rates of that Description were assessed and levied before the passing of the said Act of the Fifth and Sixth Years of King *William* the Fourth, and that a due Proportion of Inhabitant Householders to serve as Grand Jurors and Jurors at the Courts of General or Quarter Sessions of the Peace of the said Towns and Ports of *Hastings*, *Sandwich*, *Dover*, and *Hythe*,

51 G. 3. c. 36., 5 & 6 W. 4. c. 135., and Section 11. and Part of Section 10. of 6 & 7 W. 4. c. 105., repealed as to Places severed from Dover.

Hythe, and of the said ancient Town of *Rye*, shall be summoned by the Clerks of the Peace of the said Towns and Ports and ancient Town from the Noncorporate Members and Liberties thereof respectively, and that the Attendance of such Jurors shall be enforced and their Defaults punished in the Manner by the said last-mentioned Act directed with respect to Jurors in Boroughs, shall be repealed so far as the same concern or affect the Parishes or Places named in such Order, or in case of a Charter of Incorporation the Part thereof comprised in such Charter, and from and after the Day fixed in such Order, or from and after the Date of such Charter of Incorporation, no Court of Sessions to be holden for the Town and Port of *Dover*, nor any Justices thereof, shall have any Jurisdiction or Authority over or in respect of the Parishes or Places comprised in the said Order, or the District comprised in any such Charter, as the Case may be, and no such Parish, Place, or District shall be liable to any Rate, Cess, or Impost to which the same or the Inhabitants thereof would but for this Act be liable as such Member or Liberty, save as herein-after otherwise provided; provided always, that all Persons who have exercised the Office of Mayor, Aldermen, or Guardians of the Poor in the said Cinque Ports, or any of them, shall be eligible for Re-election, and if elected shall have all the Powers they previously possessed.

Places severed from Dover to continue liable to existing Debt.

VI. And whereas the said Parishes or Places are now liable to contribute towards the Payment of Monies which have been borrowed on the Security of the Rates raised within the said Town and Port and the Limbs and Precincts of the same, under the Description of Rates in the Nature of County Rates, and the Interest of such Monies: And whereas Parts of the Monies so borrowed have been from Time to Time paid off, and the Council of the said Town and Port have from Time to Time determined what Portion of such Monies shall be paid off in each Year, and reported to the Recorder of *Dover* the rateable Proportion of such Sum and Interest to be assessed and levied upon each of the said Places, and the same has been assessed and levied accordingly: The said Parishes of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle* and *Birchington*, and *Acol* otherwise the *Ville of Wood*, shall, notwithstanding any such Order or Charter, continue liable to contribute towards the Satisfaction or Payment of the Debt now charged upon the said Rates; and it shall be lawful for the Council of *Dover*, and they are hereby required, to declare and determine from Time to Time what Portion of such Debt shall be paid off during any One Year, and to report to the Recorder of *Dover* the Sum required to be raised in such Year for paying off such Portion of the said Debt, and the Interest due in such Year in respect of such Debt; and the said Recorder from

from Time to Time, at the Quarter Sessions of the Peace for the said Borough of *Dover* which shall be held next after any such Report of the said Council shall have been made to him as aforesaid, shall ascertain the proportionate Part of such Sum which will be required to be paid by each of the Places severed from *Dover* by such Order or Charter as aforesaid, such proportionate Part to be ascertained and regulated by the respective rateable Values of all the Places jointly liable to the said Debt, and shall make a Rate in the Nature of a County Rate upon each of the said Places, severed as aforesaid, sufficient to raise such proportionate Part as aforesaid, with the Costs and Expenses of collecting, levying, and enforcing Payment thereof; and it shall be lawful for the Overseers or other Persons charged with the Collection of Rates made for the Relief of the Poor in each such Place, and they are hereby required to pay to the Treasurer of *Dover* the Amount to which the same shall be so rated, by and out of the Monies from Time to Time raised upon such Place by any Rate or Rates made for the Relief of the Poor of such Place; and on Nonpayment thereof to the said Treasurer within Thirty Days after Delivery to such Overseers or other Persons as aforesaid of a Copy of the Rate so to be made by the said Recorder as aforesaid, the same shall be recoverable, by the Warrant of any Two Justices of the Peace for the said County of *Kent*, by Distress and Sale of the Offender's Goods, in like Manner in every respect as any Rate in the Nature of a County Rate may be recovered and enforced by virtue of any Law now in force.

Saving as to Persons committed or held to Bail in Places separate from Dover.

VII. This Act shall not extend to deprive the Court of General or Quarter Sessions of *Dover* of Jurisdiction in the Case of any Person who before such Order or Charter as aforesaid may have been committed or holden to Bail for Trial at such Court of General or Quarter Sessions from any Place severed from *Dover* by this Act, but all Proceedings upon and in relation to such Trial, or preliminary thereto or consequent thereupon, or otherwise consequent upon such Committal or Holding to Bail, shall be continued or had in like Manner in all respects as if such Order or Charter had not been made or obtained; and all Expenses incurred by the Town and Port of *Dover* in any such Case (the Amount of such Expenses to be ascertained and determined from Time to Time by the Recorder of *Dover*) shall be added to the Amount to be raised under the Provision herein-before contained by Rates to be levied upon the Place from which the Person may have been committed or holden to Bail.

Compensations.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury to award to any Persons who may sustain by reason of the passing of this Act, or of any such Order or Charter, any

Loss of Fees, Emoluments, or Advantages accruing from Offices holden by them such Compensation as, having regard to the Tenure and Nature of such respective Offices, such Commissioners deem just and proper; and all Compensation so to be awarded, except such as may be awarded in respect of any such Loss occasioned by the Severance from *Dover* of the Places severed from that Town and Port by such Order or Charter, shall be paid out of such Monies as shall be provided by Parliament for this Purpose; and all Compensation so to be awarded in respect of any Loss occasioned by such Order or Charter shall be certified by the said Commissioners of the Treasury to the Recorder of *Dover*, and shall be levied rateably upon the Places to which such Order or Charter shall relate by means of an Addition to the Rates to be made on the said Places for the Payment of the said Debt; and in case any such Compensation as last aforesaid shall continue payable after such Debt is paid off, Rates shall nevertheless continue to be made and levied in like Manner for the Payment of such Compensation until the same is fully paid, and such Compensation shall be paid thereout by the Treasurer of *Dover* to the Persons entitled thereto.

Prisoners in Gaol of Dover Castle to be removed to County Gaol.

IX. Every Person who on the said Thirtieth Day of *September* One thousand eight hundred and fifty-five may be in the Custody of the said Lord Warden, under or by virtue of any Jurisdiction or Authority hereby abolished, shall, as soon as conveniently may be thereafter, without Writ of Habeas corpus or other Writ for that Purpose be removed by the Gaoler or Keeper of the Gaol in *Dover Castle* to the Common Gaol of the County in which he may have been arrested under the Writ or other Process for his Arrest and Imprisonment, and shall be by such Gaoler or Keeper delivered into the Custody of the Gaoler or Keeper of such Common Gaol, together with the Writ or other Process by virtue of which such Person was arrested and imprisoned, and all Writs or other Process lodged with such first-mentioned Gaoler or Keeper by virtue of which such Person is or might be detained in the Custody of the said Lord Warden; and the Gaoler or Keeper of the said Common Gaol shall give a Receipt in Writing for every Person so removed to such Common Gaol; and the reasonable Expenses of such Removal shall be paid by the Commissioners of Her Majesty's Treasury; and all Persons who may be in the lawful Custody of the said Lord Warden on the said Thirtieth Day of *September* One thousand eight hundred and fifty-five shall, until removed as aforesaid, and for and during the Time of such Removal, notwithstanding anything herein-before contained, be to all Intents and Purposes deemed and considered to be in the proper legal Custody, unless and until they respectively be sooner discharged in due Course of Law; and

and all Persons so removed shall, after being delivered into the Custody of the Gaoler or Keeper of the Common Gaol of such County as aforesaid, be deemed to be in the legal Custody of the Sheriff and of such Gaoler or Keeper, in like Manner as if all such Writs and Process as aforesaid had been originally directed to and to be executed by such Sheriff.

Saving Rights of Lord Warden, &c.

X. Nothing in this Act shall affect any Jurisdiction, Power, or Authority of the said Lord Warden, or of any of the Officers of the Cinque Ports or other Persons, under any Act relating to the Adjustment of Salvage, or any Jurisdiction, Power, or Authority of the Court of Admiralty of the Cinque Ports, or of any of the Officers of such Court, or the Rights of the said Lord Warden to or in respect of Flotsam, Jetsam, and Lagan.

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VICTORIÆ REGINÆ.

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CAP. XLIX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

[16th *July* 1855.]

WHEREAS divers Persons who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths or Assurance respectively appointed to be by such Persons taken and subscribed in and by an Act of the First Year of King *George* the First, Statute Two, Chapter Thirteen; or to have qualified themselves according to an Act of the Thirteenth Year of King *Charles* the Second, Statute Two, Chapter One; or according to an Act of the Twenty-fifth Year of King *Charles* the Second, Chapter Two; or according to an Act of the Thirtieth Year of King *Charles* the Second, Statute Two; or according to an Act of the Eighth Year of King *George* the First, Chapter Six; or according to an Act of the Ninth Year of King *George* the Second, Chapter Twenty-six; or according to an Act of the Eighteenth Year of King *George* the Second, Chapter Twenty; or according to an Act of the Sixth Year of King *George* the Third, Chapter Fifty-three; or according to an Act of the Ninth Year of King *George* the Fourth, Chapter Seventeen; or according to an Act of the Tenth Year of King *George* the Fourth, Chapter Seven, so far only as the said Act relates to any Civil or Military Offices or Places of Trust, or Places of Profit, or Corporate Offices; have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to take and subscribe the Oaths and Assurance and make and subscribe the Declaration required by the said recited Acts or either of them, or otherwise to qualify themselves as aforesaid, within such Time and in such Manner as in and by the said Acts respectively is required, whereby they have incurred, or may be in danger of incurring, divers Penalties and Disabilities: For quieting the Minds of Her Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions,

1 G. 1. st. 2. c. 13.
13 C. 2. st. 2. c. 1.
25 C. 2. c. 2.
30 C. 2. st. 2.
8 G. 1. c. 6.
9 G. 2. c. 26.
18 G. 2. c. 20.
6 G. 3. c. 53.
9 G. 4. c. 17.
10 G. 4. c. 7.

 be

be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

I. All and every Person or Persons who, at or before the passing of this Act, hath or shall have omitted to take and subscribe the Oaths and Declarations, or otherwise to qualify him, her, or themselves, within such Time and in such Manner as in and by the said Acts or any of them is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act, hath or have taken and subscribed the said Oaths or made the Declarations required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-six, or if Parliament be then sitting before the End of the then Session of Parliament, shall take and subscribe the Oaths, Declarations, and Assurance respectively, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Declarations, and Assurance ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or making or subscribing the said Declarations respectively, or taking or subscribing the Oath, according to the above-mentioned Acts or any of them, or any other Act or Acts; and such Person or Persons is and are and shall be fully and actually recapacitated and restored to the same State and Condition as he, she, or they were in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned Acts and every of them; and all Elections of, and Acts done or to be done by, any such Person or Persons, or by Authority derived from him, her, or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, according to the Directions of the said Acts and every or any of them; and the Qualification of such Person or Persons qualifying themselves in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the Oath and Declaration

II. And whereas several Persons well affected to Her Majesty's Government, and to the United Church of *England* and *Ireland*, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Oaths and Declaration according to the Directions of an Act passed in

Indemnity.

in the Parliament of *Ireland* in the Second Year of Queen *Anne*, intituled *An Act to prevent the further Growth of Popery:* required by the Irish Act, 2 Anne, c. 6.

All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oath, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-six, or if Parliament be then sitting before the End of the then Session of Parliament.

III. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law. Not to indemnify Persons against whom final Judgment has been given.

IV. Provided also, That nothing contained in this Act shall extend or be construed to extend to exempt any Justice of the Peace within *Great Britain* from the Penalties to which he is subject for acting as such without being possessed of the Qualification required by the Laws now in force. Not to exempt Justices acting without legal Qualification.

V. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns, in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mislaid: Admissions to Corporations may be stamped after the Time allowed.

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-six, or if Parliament be then sitting before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions, or Entries of Admissions, as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid

to

to the Commissioners of Inland Revenue, to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

VI. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been passed.

General Issue.

VII. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

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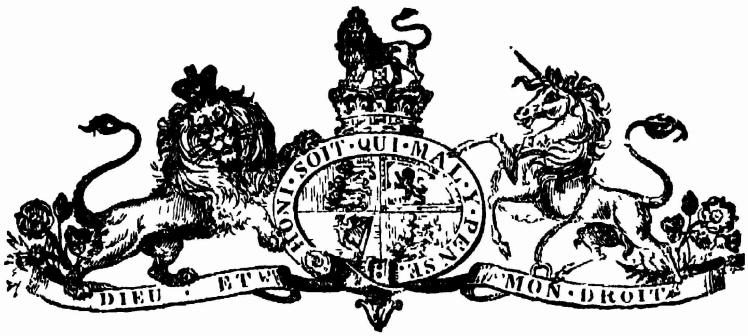

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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Credit of the Accountant General of the Court of Chancery.

with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, as Compensation, under any such Act or any Act incorporated therewith, it shall be lawful to pay such Money into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account there, and to be dealt with in like Manner as authorized by the recited Act with respect to Accounts transferred thereunder from the Court of Exchequer in *Ireland* to the Court of Chancery, and as fully and in all respects, and with like Powers in relation thereto, as if the said Court of Chancery had in any such Public General or Local and Personal Act as aforesaid been named therein instead of the Court of Exchequer in *Ireland*.

Monies already paid into the Court of Chancery to be dealt with by that Court.

II. Where any Amount or Sum of Money so authorized or required to be paid into the Bank in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, as Compensation, under any such Act, has already been paid into the Bank in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, such Payment shall be deemed to have been a good Payment, and shall be deemed to have had and shall have the same Effect, and the Court of Chancery shall have the like Powers in relation thereto, as if the said Court of Chancery had been named in such Act instead of the Court of Exchequer, and as well with respect to any Right, Interest, or Claim of Her Majesty, Her Heirs and Successors, as of all other Bodies and Persons whatsoever.

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VICTORIÆ REGINÆ.

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CAP. LI.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. [16th *July* 1855.]

WHEREAS an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to exempt until the Thirty-first Day of* December *One thousand eight hundred and forty-one Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor:* And whereas the said Act has been since continued by sundry Acts until the First Day of *October* in the Year One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament; and it is expedient that the said Act should be further continued: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall continue in force until the First Day of *October* in the Year One thousand eight hundred and fifty-six.

3 & 4 Vict. c. 89.

Recited Act further continued.

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VICTORIÆ REGINÆ.

CAP. LII.

An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts. [16th *July* 1855.]

WHEREAS under an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty (Chapter Fifty-three), "to consolidate and continue the Copyhold "and Inclosure Commissions, and to provide for the Completion of "Proceedings under the Tithe Commutation Acts," certain Powers of appointing Commissioners and other Officers as therein mentioned were limited to continue for Two Years next after the Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament, and no Commissioner or other Officer or Person appointed or continued under that Act was to hold his Office for a longer Period than Two Years next after the Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament: And whereas by an Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and twenty-four, the said Powers of appointing Commissioners and other Officers were continued, and the Period limited for the holding of Office under the said first-mentioned Act was extended

14 & 15 Vict. c. 53.

16 & 17 Vict. c. 124.

until

until the First Day of *August* One thousand eight hundred and fifty-four, and thenceforth until the End of the then next Session of Parliament: And whereas it is expedient that the Powers of the said first-mentioned Act should be continued as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: The Powers of appointing Commissioners and other Officers limited to continue as aforesaid by the said Act of the Fourteenth and Fifteenth Years of Her Majesty shall be further continued until the First Day of *August* One thousand eight hundred and fifty-six, and thenceforth until the End of the then next Session of Parliament, and the Period limited for the holding of Office under the said Act shall in like Manner be extended until the said First Day of *August* One thousand eight hundred and fifty-six, and thenceforth until the End of the then next Session of Parliament.

Powers of Appointment of Commissioners &c. under 14 & 15 Vict. c. 53. continued.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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Haileybury College.

Students certified at the last Examination in 1857 to be qualified may be admitted to the Service of the Company.

III. Every Student of the said College at the Period of the last Examination in the Year One thousand eight hundred and fifty-seven shall be examined in the usual Manner for Admission to the said Company's Service, and all those who shall be certified by the Principal of the said College to be duly qualified in other respects may be admitted to the Service of the said Company, notwithstanding such Students may not have resided Four Terms at the said College.

Commissioners to determine Questions of Priority of Rank.

IV. It shall be lawful for the said Commissioners to determine any Question of Priority of Rank which may arise between Persons appointed to the said Service in respect of Vacancies which occurred prior to the Thirtieth Day of *April* One thousand eight hundred and fifty-four, and Persons appointed in respect of Vacancies which occurred on or after that Day.

Power to Company to sell College, &c.

V. The said Company shall, with the Approval of the said Commissioners, as soon as may be after the Discontinuance of the said College, sell and dispose thereof and of all Lands and Hereditaments attached thereto, or, with the like Approval, may, at any Time after the passing of this Act, contract for the Sale and Disposal of the said Premises from the Thirty-first Day of *January* One thousand eight hundred and fifty-eight; and the Proceeds of such Sale shall be received and held by the said Company in trust for Her Majesty, Her Heirs and Successors, for the Use of the Government of *India*.

As to Compensations to Officers, &c.

VI. At any Time within Six Months before the closing of the said College, it shall be lawful for the said Company to take into consideration the Claims of the Officers and Servants of the said College whose Interests may be prejudicially affected by the Abolition of the said College, and, under the Control of the said Commissioners, to grant such Compensations, Superannuations, or Allowances as shall appear reasonable, the Charge whereof shall be defrayed by the said Company out of the Revenues of *India*.

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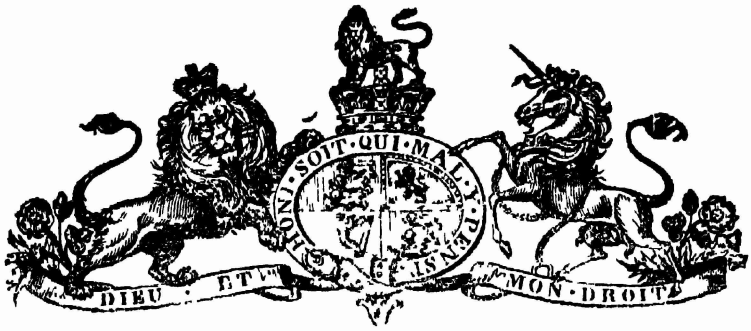

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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to the Crown in the said Colony, and also the Appropriation of the gross Proceeds of the Sales of any such Lands, and of all other Proceeds and Revenues of the same, from whatever Source arising within the said Colony, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: And whereas it is not competent to Her Majesty to assent to the said reserved Bill without the Authority of Parliament for that Purpose: And whereas it is expedient that Her Majesty should be authorized to assent to the said reserved Bill, amended by the Omission of certain Provisions thereof, respecting the Assent of the Governor to the Bills which may be passed by the Legislative Councils and Assemblies of the said Colony, and Her Majesty's Power to disallow the same, and respecting the Boundaries of the *Australian* Colonies, and that so much and such Parts as aforesaid of the said specified Acts of Parliament should thereupon be repealed, and that the entire Management and Control of the said Waste Lands and Proceeds should be vested in the Legislature of the said Colony: And whereas a Copy of the said Bill, as amended as aforesaid, is set forth in the Schedule (1.) to this Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty to assent to the Bill in Schedule (1.) to this Act.

I. It shall be lawful for Her Majesty in Council to assent to the said reserved Bill, as amended as aforesaid, and contained in Schedule (1.) to this present Act annexed, anything in the said specified Acts of Parliament, or any other Act, Law, Statute, or Usage, to the contrary in anywise notwithstanding.

So much of the Acts in Schedule (2.) to this Act as relates to the Colony of New South Wales repealed.

II. From the Day of the Proclamation of this Act in the said Colony of *New South Wales* (the said reserved Bill, as amended as aforesaid, having been previously assented to by Her Majesty in Council as aforesaid,) so much and such Parts of the several Acts of Parliament mentioned in the Schedule (2.) of this Act as severally relate to the said Colony of *New South Wales*, and are repugnant to the said reserved Bill, amended as aforesaid, shall be repealed; and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony, and also the Appropriation of the gross Proceeds of the Sales of any such Lands, and of all other Proceeds and Revenues of the same, from whatever Source arising within the said Colony, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the Acts of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Fifty-nine, and Fifth and Sixth Years of Her Majesty, Chapter Seventy-six, mentioned in the said Schedule, as relates to the Constitution,

Constitution, Appointment, and Powers of the Legislative Council of the said Colony of *New South Wales* shall continue in force until the First Writs shall have issued for the Election of Members to serve in the House of Assembly, in pursuance of the Provisions of the said reserved Bill, amended and assented to as aforesaid, but no longer; Provided, that nothing herein contained shall affect or be construed to affect any Contract or to prevent the Fulfilment of any Promise or Engagement made by or on behalf of Her Majesty, with respect to any Lands situate in the said Colony, in Cases where such Contracts, Promises, or Engagements shall have been lawfully made before the Time at which this Act shall take effect within the said Colony, nor to disturb or in any way interfere with or prejudice any vested or other Rights which have accrued or belong to the licensed Occupants or Lessees of any Crown Lands within or without the settled Districts, under and by virtue of the Provisions of any of the Acts of Parliament so repealed as aforesaid, or of any Order or Orders of Her Majesty in Council issued in pursuance thereof.

Provisions of former Acts respecting the Allowance and Disallowance of Bills preserved.

III. The Provisions of the before-mentioned Act of the Fourteenth Year of Her Majesty, Chapter Fifty-nine, and of the Act of the Sixth Year of Her Majesty, Chapter Seventy-six, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, which relate to the giving and withholding of Her Majesty's Assent to Bills, and the Reservation of Bills for the Signification of Her Majesty's Pleasure thereon, and the Instructions to be conveyed to Governors for their Guidance in relation to the Matters aforesaid, and the Disallowance of Bills by Her Majesty, shall apply to Bills to be passed by the Legislative Council and Assembly constituted under the said reserved Bill and this Act, and by any other Legislative Body or Bodies which may at any Time hereafter be substituted for the present Legislative Council and Assembly.

Power to repeal and alter the Provisions of the reserved Bill.

IV. It shall be lawful for the Legislature of *New South Wales* to make Laws altering or repealing all or any of the Provisions of the said reserved Bill, in the same Manner as any other Laws for the good Government of the said Colony, subject, however, to the Conditions imposed by the said reserved Bill on the Alteration of the Provisions thereof in certain Particulars, until and unless the said Conditions shall be repealed or altered by the Authority of the said Legislature.

Boundaries of the Colonies of New South Wales and Victoria

V. And whereas by the before-mentioned Act of the Fourteenth Year of Her Majesty, Chapter Fifty-nine, it is amongst other things enacted, that the Territories therein described as bounded on the North and North-east by a straight Line drawn from *Cape Howe* to the

along the River Murray defined.

the nearest Source of the River *Murray*, and thence by the Course of that River to the Eastern Boundary of the Colony of *South Australia*, should be erected into a separate Colony to be known and designated as the Colony of *Victoria*: And whereas Doubts have been entertained as to the true Meaning of the said Description of the Boundary of the said Colony: It is hereby declared and enacted, That the whole Watercourse of the said River *Murray*, from its Source therein described to the Eastern Boundary of the Colony of *South Australia*, is and shall be within the Territory of *New South Wales*: Provided nevertheless, that it shall be lawful for the Legislatures and for the proper Officers of Customs of both the said Colonies of *New South Wales* and *Victoria* to make Regulations for the levying of Customs Duties on Articles imported into the said Two Colonies respectively by way of the River *Murray*, and for the Punishment of Offences against the Customs Laws of the said Two Colonies respectively committed on the said River, and for the Regulation of the Navigation of the said River by Vessels belonging to the said Two Colonies respectively: Provided also, that it shall be competent for the Legislatures of the said Two Colonies, by Laws passed in concurrence with each other, to define in any different Manner the Boundary Line of the said Two Colonies along the Course of the River *Murray*, and to alter the other Provisions of this Section.

Provision for the Separation of Portions of the Territory of New South Wales.

VI. If Her Majesty shall at any Time exercise the Power given to Her by the said reserved Bill of altering the Northern Boundary of *New South Wales*, and if She shall in the Exercise of such Power separate from the said Colony any entire Electoral Districts, the Electoral Districts so separated shall cease to return Members to the Assembly of *New South Wales*; and if She shall, in the Exercise of such Power as aforesaid, separate from the said Colony any Portions of Electoral Districts, the remaining Portions not separated shall continue to return to the said Assembly the same Number of Members as if no such Separation had taken place, until the Legislature of *New South Wales* shall otherwise provide; and the said Assembly shall retain, so far as concerns the Colony of *New South Wales* as constituted after such Separation, all the Powers and Functions vested in it, though it may not thereafter consist of the same Number of Members as before.

Portions so separated may be erected into separate Colonies.

VII. It shall be lawful for Her Majesty, by Letters Patent to be from Time to Time issued under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to erect into a separate Colony or Colonies any Territories which may be separated from *New South Wales* by such Alteration as aforesaid of the Northern Boundary thereof; and in and by such Letters Patent or by Order in Council to

to make Provision for the Government of any such Colony, and for the Establishment of a Legislature therein, in manner as nearly resembling the Form of Government and Legislature which shall be at such Time established in *New South Wales* as the Circumstances of such Colony will allow; and full Power shall be given in and by such Letters Patent or Order in Council to the Legislature of the said Colony to make further Provision in that Behalf.

Commencement of the Act.

VIII. This Act shall be proclaimed in *New South Wales* by the Governor thereof, within One Month after a Copy thereof shall have been received by such Governor, and this Act and the said reserved Bill, as amended as aforesaid (such Bill being first assented to by Her Majesty in Council), shall take effect in the said Colony from the Day of such Proclamation.

Interpretation of Terms.

IX. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of *New South Wales;* and the Word "Legislature" shall include as well the Legislature to be constituted under the said reserved Bill and this Act, as any future Legislature which may be established in the said Colony under the Powers in the said reserved Bill and this Act contained.

SCHEDULES to which this Act refers.

SCHEDULE (1.)

ANNO DECIMO SEPTIMO VICTORIÆ REGINÆ.

By His Excellency Sir Charles Augustus Fitzroy, Knight Companion of the Royal Hanoverian Guelphic Order, Governor General of all Her Majesty's Australian Possessions, and Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, with the Advice and Consent of the Legislative Council.

No. XLI.

An Act to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty.

Recital of 32d Clause of 13 & 14 Vict. c. 39.

WHEREAS by the Thirty-second Clause of the Imperial Act passed in the Session holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for the better Government of Her "Majesty's Australian Colonies," it was among other things enacted, that, notwithstanding anything therein-before contained, it should be lawful for the Governor and Legislative Council of this Colony, from Time to Time, by any Act or Acts, to alter the Provisions or Laws for the Time being in force under the said Imperial Act or otherwise, concerning the Election of the Elective Members of such Legislative Council, and the Qualification of Electors and Elective Members; or to establish in the said Colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist of such Members, to be appointed or elected by such Person and in such Manner, as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Houses, the Powers and Functions of the Legislative Council for which the same may be substituted: And whereas it is expedient that the Powers vested by the said Act in the said Governor and Legislative Council should be exercised, and that a Legislative Council and a Legislative Assembly, as constituted by this Act, should be substituted for the present Legislative Council, with the increased Powers and Functions herein-after contained: Be it therefore enacted by His Excellency the Governor of New South Wales, with the Advice and Consent of the Legislative Council thereof, as follows:

Parliament of New South Wales.

General Powers of the Parliament.

Assent to Bills.

I. There shall be, in place of the Legislative Council now subsisting, One Legislative Council and One Legislative Assembly, to be severally constituted and composed in the Manner herein-after prescribed; and within the said Colony of New South Wales Her Majesty shall have Power, by and with the Advice and Consent of the said Council and Assembly, to make Laws for the Peace,

Peace, Welfare, and good Government of the said Colony in all Cases whatsoever: Provided, that all Bills for appropriating any Part of the Public Revenue, for imposing any new Rate, Tax, or Impost, subject always to the Limitation contained in Clause Sixty-two of this Act, shall originate in the Legislative Assembly of the said Colony.

Taxation and Appropriation Bills to originate in Assembly.

II. For the Purpose of composing the Legislative Council of New South Wales, it shall be lawful for Her Majesty, before the Time to be appointed for the First Meeting of the said Legislative Council and Assembly, by an Instrument under the Sign Manual, to authorize the Governor, with the Advice of the Executive Council, in Her Majesty's Name, by an Instrument or Instruments under the Great Seal of the said Colony, to summon to the said Legislative Council of the said Colony such Persons, being not fewer than Twenty-one, as the said Governor and Executive Council shall think fit; and it shall also be lawful for Her Majesty from Time to Time to authorize the Governor in like Manner to summon to the said Legislative Council such other Person or Persons as the said Governor and Executive Council shall think fit, and every Person who shall be so summoned shall thereby become a Member of the Legislative Council of the said Colony: Provided always, that no Person shall be summoned to the said Legislative Council who shall not be of the full Age of Twenty-one Years, and a natural-born Subject of Her Majesty, or naturalized by an Act of the Imperial Parliament, or by an Act of the Legislature of the said Colony: Provided also, that not less than Four Fifths of the Members so summoned to the Legislative Council shall consist of Persons not holding any Office of Emolument under the Crown, except Officers of Her Majesty's Sea and Land Forces on Full or Half Pay, or retired Officers on Pensions.

Appointment of Legislative Councillors.

III. The Members of the First Legislative Council of the said Colony who shall be so summoned by the Governor, with the Advice of the Executive Council, shall hold their respective Seats therein for Five Years from the Date of the First Summonses to the said Legislative Council; but all future Members of the said Legislative Council who shall be summoned thereto, after the Expiration of the said Five Years, by the Governor, with the Advice of the Executive Council as aforesaid, shall hold their Seats therein for the Term of their natural Lives, subject, nevertheless, to the Provisions herein-after contained for vacating the same, and for altering and amending the future Constitution of the said Colony as established by this Act.

Tenure of Office of Councillors.

IV. It shall be lawful for any Member of the Legislative Council to resign his Seat therein by a Letter to the Governor, and upon the Receipt of any such Letter by the Governor the Seat of such Legislative Councillor shall become vacant.

Resignation of Councillors.

V. If any Legislative Councillor shall, for Two successive Sessions of the Legislature of the said Colony, fail to give his Attendance in the said Legislative Council, without the Permission of Her Majesty or of the Governor of the Colony, signified by the said Governor to the Legislative Council, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or shall do, concur in,

Vacating Seat by Absence.

in, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or whereby he may become entitled to the Rights, Privileges, or Immunities of a Subject or Citizen of any Foreign State or Power, or shall become bankrupt, or take the Benefit of any Law relating to Insolvent Debtors, or become a Public Contractor or Defaulter, or be attainted of Treason, or be convicted of Felony or of any infamous Crime, his Seat in such Council shall thereby become vacant.

Trial of Questions of Vacancy.

VI. Any Question which shall arise respecting any Vacancy in the Legislative Council, on occasion of any of the Matters aforesaid, shall be referred by the Governor to the said Legislative Council, to be by the said Legislative Council heard and determined: Provided always, that it shall be lawful either for the Person respecting whose Seat such Question shall have arisen, or for Her Majesty's Attorney General for the said Colony, on Her Majesty's behalf, to appeal from the Determination of the said Council in such Case to Her Majesty, and that the Judgment of Her Majesty, given with the advice of Her Privy Council, thereon shall be final and conclusive to all Intents and Purposes.

Appointment of President.

President may take part in Debates.

VII. The Governor of the Colony shall have Power and Authority from Time to Time, by an Instrument under the Great Seal of the said Colony, to appoint One Member of the said Legislative Council to be President thereof, and to remove him and appoint another in his Stead; and it shall be at all Times lawful for the said President to take part in any Debate or Discussion which may arise in the said Legislative Council.

Quorum, Division, Casting Vote.

VIII. The Presence of at least One Third of the Members of the said Legislative Council, exclusive of the President, shall be necessary to constitute a Quorum for the Despatch of Business; and all Questions which shall arise in the said Legislative Council shall be decided by a Majority of Votes of the Members present, other than the President, and when the Votes shall be equal the President shall have the Casting Vote: Provided always, that if the whole Number of Members constituting the said Legislative Council shall not be exactly divisible by Three, the Quorum of the said Legislative Council shall consist of such whole Number as is next greater than One Third of the Members of the said Legislative Council.

Convoking Assembly.

IX. For the Purpose of constituting the Legislative Assembly of the said Colony, it shall be lawful for the Governor thereof, within the Time hereinafter mentioned, and thereafter from Time to Time as Occasion shall require, in Her Majesty's Name, by an Instrument or Instruments under the Great Seal of the said Colony, to summon and call together a Legislative Assembly in and for the said Colony.

Number of Members of Assembly.

X. The Legislative Assembly shall for the present consist of Fifty-four Members, to be elected by the Inhabitants of the said Colony, having any of the Qualifications mentioned in the next succeeding Clause of this Act.

Qualification of Electors.

XI. The Qualifications for Electors of the Legislative Assembly shall be as follows:—Every Man of the Age of Twenty-one Years, being a natural-born or naturalized Subject of Her Majesty, or legally made a Denizen of New South Wales, and having a Freehold Estate in possession, situate in the District for which

which his Vote is to be given, of the clear Value of One hundred Pounds Sterling Money, above all Charges and Incumbrances in any way affecting the same, of or to which he has been seised or entitled, either at Law or in Equity, for at least Six Calendar Months next before the last Registration of Electors, or being a Householder within such District, occupying any House, Warehouse, Counting House, Office, Shop, or other Building, of the clear annual Value of Ten Pounds Sterling Money, and having occupied the same for Six Calendar Months next before such Registration as aforesaid, or having a Leasehold Estate in possession, situate within such District, of the Value of Ten Pounds Sterling Money per Annum, held upon a Lease which at the Time of such Registration has not less than Three Years to run, or having a Leasehold Estate so situate and of such Value as aforesaid, of which he has been in possession for Three Years or upwards next before such Registration, or holding at the Time of such Registration a Licence from the Government to depasture Lands within the District for which his Vote is to be given, or having a Salary of One hundred Pounds a Year, and having enjoyed the same for Six Calendar Months next before such Registration, or being the Occupant of any Room or Lodging, and paying for his Board and Lodging Forty Pounds a Year, or for his Lodging only at the Rate of Ten Pounds a Year, and having occupied the same Room or Lodging for Six Calendar Months next before such Registration as aforesaid, shall be entitled to vote at the Election of a Member of the Legislative Assembly: Provided always, that no Man shall be entitled to vote who has been attainted or convicted of Treason, Felony, or other infamous Offence in any Part of Her Majesty's Dominions, unless he have received a free or conditional Pardon for such Offence, or have undergone the Sentence passed on him for such Offence; and provided also, that no Man shall be entitled to vote, unless at the Time of such Registration of Electors he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupancy, or as the Holder of a Licence in respect of such Licence, except such as shall have become payable during Three Calendar Months next before such Registration.

When joint Owners and Occupiers shall be entitled to be registered as Voters and to vote.

XII. Where any Premises are jointly owned, occupied, or held on Lease within the Meaning of the last preceding Clause, by more Persons than One, each of such joint Owners, Occupiers, or Leaseholders shall be entitled to be registered as a Voter and to vote in respect of the said Premises in case the Value of his individual Interest therein, separately considered, would, under the first Four Provisions of the said last preceding Section, entitle such Owner, Occupier, or Leaseholder to be registered as a Voter and to vote.

Division of the Colony into Electoral Districts, and the Number of Members to be returned by each.

XIII. Until further Provision shall be made by the Legislature of the said Colony all the Provisions contained in "The Electoral Act of 1851," passed by the late Legislative Council in the Fourteenth Year of Her Majesty's Reign, numbered Forty-seven, except so much of the First Clause thereof as relates to the Number and Constitution of the present Legislative Council, and so much of the Third and other Clauses thereof as is repugnant to this Act, shall be in force and apply to the Election of Members to serve in the Legislative Assembly constituted under this Act, except as follows:

Electoral Districts.

The Electoral Districts of East Camden and West Camden shall each return Two Members instead of One Member to serve in the said Legislative

Assembly; the Electoral District of the united Counties of Cook and Westmoreland shall return Two Members; the Counties of Murray, Saint Vincent, Roxburgh, and Wellington shall each form an Electoral District, and each return One Member; the County of Cumberland shall be divided into Two Ridings, to be called the North and South Ridings, the North Riding commencing where the great Western Road crosses Johnstone's Creek, and bounded on the South by the Centre of that Road, bearing westerly to where it crosses the Southern Boundary of the Electoral District of Parramatta, near Beckett's Bridge, thence by Part of the Southern, by the Eastern, Northern, and Western Boundaries of the said Electoral District to the great Western Road near the Toll Bar, thence again by the Centre of that Road, bearing westerly to Emu Ferry on the Nepean River; on the West and North by the Nepean and Hawkesbury Rivers to Broken Bay, and on the East by the Sea Coast and the Southern Shores of Port Jackson to Johnstone's Creek, and by Johnstone's Creek to the Point of Commencement, exclusive of the Hamlets of Saint Leonard's and Balmain, and also excluding so much of the Cumberland Boroughs as is embraced by the Towns of Windsor and Richmond, and also so much of the Borough of Penrith as is situated on the North Side of the Western Road, and the South Riding, commencing where the great Western Road crosses Johnstone's Creek, and bounded on the North by the Centre of that Road, bearing westerly to where it crosses the Southern Boundary of the Electoral District of the Town of Parramatta near Beckett's Bridge, thence by Part of the Southern Boundary of the said Electoral District, bearing westerly to the great Western Road near the Toll Bar, thence again by the Centre of that Road, bearing westerly to Emu Ferry on the Nepean River; on the West by that River upwards to the Confluence of the Cataract River; on the South by that River upwards to its Source, and thence by a Line bearing East Twenty Degrees South to the Coast at Bulli, being the Southern Boundary of the County of Cumberland; on the East by the Sea Coast to Port Jackson, and again on the North by the Southern Shores of Port Jackson to Johnstone's Creek, and by Johnstone's Creek to the Point of Commencement, exclusive of the City of Sydney and the Hamlets of Paddington, Surry Hills, Redfern, Chippendale, O'Connell Town, Camperdown, and Glebe, and also excluding so much of the Cumberland Boroughs as is embraced by the Towns of Liverpool and Campbell Town, and also so much of the Borough of Penrith as is situated on the South Side of the Western Road; and each of the said Ridings shall return Two Members; the united Counties of Northumberland and Hunter shall return Three Members instead of Two; the County of Durham shall return Three Members instead of Two; the City of Sydney shall return Four Members instead of Three; the Sydney Hamlets, the Town of Parramatta, the Northumberland Boroughs, and the Stanley Boroughs, shall each return Two Members instead of One Member; the Electoral Districts of the pastoral Districts of the Murrumbidgee, of the Lachlan and Lower Darling, of Liverpool Plains and the Gwydir, and of New England and the M'Leay, shall each return Two Members instead of One Member to serve in the said Legislative Assembly as aforesaid.

XIV. The

New South Wales Government.

XIV. The new Classes of Electors entitled to vote by this Act at the Election of Members of the Legislative Assembly shall be inserted in the Electoral Lists appointed to be made by "The Electoral Act of 1851," in the Electoral Districts in which they shall be respectively resident; and all such Lists shall specify the Christian and Surnames of all such Electors, the Nature of the Qualification, and the Place where they respectively reside; and all such Lists shall be signed, delivered, printed, and hung up for public Inspection by the Persons and in the Way in the said Act prescribed, and shall be subject to the like Claims and Notice from any Person whose Name shall have been omitted therein, and to the like Objections and Notice as to the Names of any Person inserted therein, and to the like Modes of altering, amending, or continuing any such Lists as are in these said several respects provided for in the said Electoral Act of 1851, as nearly as may be consistently with the Rights of such new Electors. Electoral Lists.

XV. It shall be lawful for the Legislature of the Colony, by any Act or Acts to be hereafter passed, to alter the Divisions and Extent of the several Counties, Districts, Cities, Towns, Boroughs, and Hamlets which shall be represented in the Legislative Assembly, and to establish new and other Divisions of the same, and to alter the Apportionment of Representatives to be chosen by the said Counties, Districts, Cities, Towns, Boroughs, and Hamlets respectively, and to alter the Number of Representatives to be chosen in and for the Colony and in and for the several Electoral Districts in the same, and to alter and regulate the Appointment of Returning Officers, and make such new and other Provision as they may deem expedient for the issuing and Return of Writs for the Election of Members to serve in the said Legislative Assembly and the Time and Place of holding such Elections: Provided always, that it shall not be lawful to present to the Governor of the Colony, for Her Majesty's Assent, any Bill by which the Number or Apportionment of Representatives in the Legislative Assembly may be altered, unless the Second and Third Readings of such Bill in the Legislative Council and the Legislative Assembly respectively shall have been passed with the Concurrence of a Majority of the Members for the Time being of the said Legislative Council and of Two Thirds of the Members for the Time being of the said Legislative Assembly; and the Assent of Her Majesty shall not be given to any such Bill unless an Address shall have been presented by the Legislative Assembly to the Governor stating that such Bill has been so passed. Power to alter System of Representation.

XVI. Any Person absolutely free (except as is herein-after excepted) who shall be qualified and registered as a Voter in and for any Electoral District within the said Colony, shall be qualified to be elected a Member of the Legislative Assembly for any Electoral District within the said Colony. Qualification of Members of Assembly.

XVII. No Person being a Member of the Legislative Council shall be capable of being elected, or of sitting or voting as a Member of the Legislative Assembly. Members of Legislative Council incapable of being Members of Legislative Assembly.

XVIII. Any Person holding any Office of Profit under the Crown, or having a Pension from the Crown during Pleasure or for Term of Years, shall be incapable of being elected, or of sitting or voting as a Member of the Legislative Assembly, unless he be One of the following official Members of the Government, that is to say, the Colonial Secretary, Colonial Treasurer, Auditor General, Attorney Disqualifying Clause of Members of Assembly.

Attorney General, and Solicitor General, or One of such additional Officers, not being more than Five, as the Governor, with the Advice of the Executive Council, may from Time to Time, by a Notice in the Government Gazette, declare capable of being elected a Member of the said Assembly.

Further disqualifying Clause of Members of Assembly. Pensions of Officers of the Navy and Army.

XIX. If any Member of the said Assembly shall accept of any Office of Profit or Pension from the Crown during Pleasure or for Term of Years, his Election shall be thereupon and is hereby declared to be void, and a Writ shall forthwith issue for a new Election: Provided, that nothing in this Act contained shall extend to any Person in receipt only of Pay, Half Pay, or a Pension as an Officer in Her Majesty's Navy or Army, or who shall receive any new or other Commission in the Navy or Army respectively, or any Increase of Pay on such Commission, or to any of the official Members of the Government, or other Officers referred to in the last preceding Clause of this Act who may accept any other Office.

Disqualifying Ministers of Religion.

XX. No Person shall be capable of being elected a Member to serve in the said Assembly, and of sitting and voting therein, who shall be a Minister of the Church of England, or a Minister, Priest, or Ecclesiastic, either according to the Rites of the Church of Rome, or under any other Form or Profession of Religious Faith or Worship.

Duration of Assembly.

XXI. Every Legislative Assembly of the said Colony hereafter to be summoned and chosen shall continue for Five Years from the Day of the Return of the Writs for choosing the same, and no longer; subject, nevertheless, to be sooner prorogued or dissolved by the Governor of the said Colony.

Election of the Speaker.

XXII. The Members of the Legislative Assembly shall, upon the first assembling after every General Election, proceed forthwith to elect One of their Number to be Speaker; and in case of his Death, Resignation, or Removal by a Vote of the said Legislative Assembly, the said Members shall forthwith proceed to elect another of such Members to be such Speaker; and the Speaker so elected shall preside at all Meetings of the said Legislative Assembly, except as may be provided by the Standing Rules and Orders herein-after authorized to be made.

Quorum, Division, Casting Vote.

XXIII. The Presence of at least Twenty Members of the Legislative Assembly, exclusive of the Speaker, shall be necessary to constitute a Meeting of the said Legislative Assembly for the Despatch of Business; and all Questions (except as herein is excepted) which shall arise in the said Assembly shall be decided by the Majority of Votes of such Members as shall be present other than the Speaker, and when the Votes shall be equal the Speaker shall have the Casting Vote

Assembly may proceed to Business, although Writs not exceeding Five shall not have been returned.

XXIV Upon any General Election, the Legislative Assembly shall be competent to proceed to the Despatch of Business at the Time appointed by the Governor for that Purpose, notwithstanding that any of the Writs of Election (not exceeding Five) shall not have been returned, or that in any of the Electoral Districts the Electors shall have failed to elect a Member to serve in the said Assembly.

XXV. It

XXV. It shall be lawful for any Member of the Assembly, by Writing under his Hand, addressed to the Speaker of the said House, to resign his Seat therein, and upon the Receipt of such Resignation by the Speaker the Seat of such Member shall become vacant.

Resignation of Seats in the Assembly.

XXVI. If any Member of the Assembly shall for One whole Session of the Legislature, without the Permission of the Assembly, entered upon its Journals, fail to give his Attendance in the said House, or shall take any Oath or make Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or do or concur in or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or become entitled to the Rights, Privileges, or Immunities of a Subject of any Foreign State or Power, or shall become bankrupt or an Insolvent Debtor within the Meaning of the Laws in force within the said Colony relating to Bankrupts or Insolvent Debtors, or shall become a Public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Crime, his Seat in such Assembly shall thereby become vacant.

Vacating Seats of Members of Assembly in certain Cases.

XXVII. When and so often as a Vacancy shall occur as aforesaid, upon a Resolution by the Assembly declaring such Vacancy and the Causes thereof, the Speaker shall cause a Writ to be issued for supplying such Vacancy: Provided, that the Speaker may issue such Writ without such preceding Resolution when the Assembly is not in Session.

Election to take place on Vacancies.

XXVIII. Any Person who shall directly or indirectly, himself, or by any Person whatsoever in trust for him, or for his Use or Benefit, or on his Account, undertake, execute, hold or enjoy, in the whole or in part, any Contract or Agreement for or on account of the Public Service, shall be incapable of being summoned or elected, or of sitting or voting, as a Member of the Legislative Council or Legislative Assembly during the Time he shall execute, hold, or enjoy any such Contract, or any Part or Share thereof, or any Benefit or Emolument arising from the same; and if any Person, being a Member of such Council or Assembly, shall enter into any such Contract or Agreement, or having entered into it shall continue to hold it, his Seat shall be declared by the said Legislative Council or Legislative Assembly, as the Case may require, to be void, and thereupon the same shall become and be void accordingly: Provided always, that nothing herein contained shall extend to any Contract or Agreement made, entered into, or accepted by any Incorporated Company, or any Trading Company, consisting of more than Twenty Persons, where such Contract or Agreement shall be made, entered into, or accepted for the general Benefit of such Incorporated or Trading Company.

Disqualifying Contractors and Persons interested in Contracts from being Members of either House.

Proviso exempting from Disqualification Members of Companies exceeding Twenty in Number.

XXIX. If any Person by this Act disabled or declared to be incapable to sit or vote in the Legislative Council or Legislative Assembly shall nevertheless be summoned to the said Council, or elected and returned as a Member to serve in the said Assembly for any Electoral District, such Summons, or Election and Return, shall and may be declared by the said Council and Assembly, as the Case may require, to be void, and thereupon the same shall become and be void to all Intents and Purposes whatsoever; and if any Person, under any of the Disqualifications mentioned in the last preceding Section, shall,

Election of disqualified Persons void.

Penalty on their sitting or voting.

shall, whilst so disqualified, presume to sit or vote as a Member of the said Council or Assembly, such Person shall forfeit the Sum of Five hundred Pounds, to be recovered by any Person who shall sue for the same in the Supreme Court of New South Wales.

Place and Time of holding Parliament.

XXX. It shall be lawful for the Governor of the Colony for the Time being to fix such Place or Places within any Part of the Colony, and such Times for holding the First and every other Session of the Legislative Council and Assembly of the said Colony, as he may think fit, such Times and Places to be afterwards changed or varied as the Governor may judge advisable and most consistent with general Convenience and the public Welfare, giving sufficient Notice thereof; and also to prorogue the said Legislative Council and Assembly from Time to Time, and to dissolve the said Assembly by Proclamation or otherwise, whenever he shall deem it expedient.

One Session of Parliament to be held in each Year.

XXXI. There shall be a Session of the Legislative Council and Assembly once at least in every Year, so that a Period of Twelve Calendar Months shall not intervene between the last Sitting of the Legislative Council and Assembly in One Session and the First Sitting of the Legislative Council and Assembly in the next Session.

First calling together of Parliament.

XXXII. The Legislative Council and Assembly shall be called together for the FirstTime at some Period not later than Six Calendar Months next after the Proclamation of this Act by the Governor of the said Colony.

No Member to sit or Vote until he has taken the following Oath of Allegiance.

XXXIII. No Member either of the Legislative Council or of the Legislative Assembly shall be permitted to sit or vote therein until he shall have taken and subscribed the following Oath before the Governor of the Colony, or before some Person or Persons authorized by such Governor to administer such Oath:

'I A.B. do sincerely promise and swear, That I will be faithful and bear true 'Allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the 'United Kingdom of Great Britain and Ireland, and of this Colony of New 'South Wales, dependent on and belonging to the said United Kingdom. 'So help me GOD.'

And whensoever the Demise of Her present Majesty (whom may God long preserve) or of any of Her Successors to the Crown of the said United Kingdom shall be notified by the Governor of the Colony to the said Council and Assembly respectively, the Members of the said Council and Assembly shall, before they shall be permitted to sit and vote therein, take and subscribe the like Oath of Allegiance to the Successor for the Time being to the said Crown.

Affirmation may be made instead of Oath.

XXXIV. Provided that every Person authorized by Law to make an Affirmation instead of taking an Oath may make such Affirmation in every Case in which an Oath is herein-before required to be taken.

Standing Rules and Orders to be made.

XXXV. The said Legislative Council and Assembly in the First Session of each respectively, and from Time to Time afterwards as there may be occasion, shall prepare and adopt such Standing Rules and Orders as shall appear to the said Council and Assembly respectively best adapted for the orderly Conduct

duct of such Council and Assembly respectively, and for the Manner in which such Council and Assembly shall be presided over in case of the Absence of the President or the Speaker, and for the Mode in which such Council and Assembly shall confer, correspond, and communicate with each other relative to Votes or Bills passed by or pending in such Council and Assembly respectively, and for the Manner in which Notices of Bills, Resolutions, and other Business intended to be submitted to such Council and Assembly respectively at any Session thereof may be published for general Information, and for the proper passing, entitling, and numbering of the Bills to be introduced into and passed by the said Council and Assembly, and for the proper Presentation of the same to the Governor for the Time being for Her Majesty's Assent; all of which Rules and Orders shall, by such Council and Assembly respectively, be laid before the Governor, and, being by him approved, shall become binding and of force.

Legislature, as constructed by this Act, empowered to alter any of its Provisions

XXXVI. Notwithstanding anything herein-before contained, the Legislature of the said Colony, as constituted by this Act, shall have full Power and Authority, from Time to Time, by any Act or Acts, to alter the Provisions or Laws for the Time being in force under this Act or otherwise, concerning the Legislative Council, and to provide for the Nomination or Election of another Legislative Council, to consist respectively of such Members to be appointed or elected respectively by such Person or Persons, and in such Manner, as by such Act or Acts shall be determined: Provided always, that it shall not be lawful to present to the Governor of the said Colony, for Her Majesty's Assent, any Bill by which any such Alteration in the Constitution of the said Colony may be made, unless the Second and Third Readings of such Bill shall have been passed with the Concurrence of Two Thirds of the Members for the Time being of the said Legislative Council and of the said Legislative Assembly respectively: Provided also, that every Bill which shall be so passed for any of such Purposes shall be reserved for the Signification of Her Majesty's Pleasure thereon, and a Copy of such Bill shall be laid before both Houses of the Imperial Parliament for the Period of Thirty Days at the least before Her Majesty's Pleasure thereon shall be signified.

Appointment to Offices under the Government of the Colony to be vested in the Governor.

XXXVII. The Appointment to all Public Offices under the Government of the Colony hereafter to become vacant or to be created, whether such Offices be salaried or not, shall be vested in the Governor, with the Advice of the Executive Council, with the Exception of the Appointments of the Officers liable to retire from Office on political Grounds as herein-after mentioned, which Appointments shall be vested in the Governor alone: Provided always, that this Enactment shall not extend to minor Appointments, which by Act of the Legislature, or by Order of the Governor and Executive Council, may be vested in Heads of Departments, or other Officers or Persons within the Colony.

Judges continued in the Enjoyment of their Offices during their good Behaviour notwithstanding any Demise of the Crown;

XXXVIII. The Commissions of the present Judges of the Supreme Court of the said Colony, and of all future Judges thereof, shall be, continue, and remain in full force during their good Behaviour, notwithstanding the Demise of Her Majesty (whom may God long preserve), or of Her Heirs and Successors, any Law, Usage, or Practice to the contrary thereof in anywise notwithstanding.

but they may be removed by the Crown on the Address of Parliament.

XXXIX. It shall be lawful, nevertheless, for Her Majesty, Her Heirs or Successors, to remove any such Judge or Judges upon the Address of both Houses of the Legislature of this Colony.

XL. Such

Their Salaries secured during the Continuance of their Commissions.

XL. Such Salaries as are settled upon the Judges for the Time being by Act of Parliament or otherwise, and also such Salaries as shall or may be in future granted by Her Majesty, Her Heirs and Successors, or otherwise, to any future Judge or Judges of the said Supreme Court, shall in all Time coming be paid and payable to every such Judge and Judges for the Time being, so long as the Patents or Commissions of them or any of them respectively shall continue and remain in force.

Existing Law saved.

XLI. All Laws, Statutes, and Ordinances which at the Time of the passing of this Act shall be in force within the said Colony shall remain and continue to be of the same Force, Authority, and Effect as if this Act had not been made, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue and under the Authority of this Act, be repealed or varied by any Act or Acts of the Legislature of the said Colony.

Courts of Justice, Commissions, Officers, &c.

XLII. All the Courts of Civil and Criminal Jurisdiction within the said Colony, and all Charters, legal Commissions, Powers and Authorities, and all Officers, judicial, administrative, or ministerial, within the said Colony respectively, except in so far as the same may be abolished, altered, or varied by or may be inconsistent with the Provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the Legislature of the Colony, or other competent Authority, shall continue to subsist in the same Form and with the same Effect as if this Act had not been made.

Legislature empowered to make Laws regulating Sale and other Disposal of Waste Lands.

XLIII. Subject to the Provisions herein contained, it shall be lawful for the Legislature of this Colony to make Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown within the said Colony.

Duties not to be levied on Supplies for Troops, nor any Duties inconsistent with Treaties.

XLIV. It shall not be lawful for the Legislature of the Colony to levy any Duty upon Articles imported bonâ fide for the Supply of Her Majesty's Land or Sea Forces, nor to levy any Duty, impose any Prohibition or Restriction, or grant any Exemption from any Drawback or other Privilege upon the Importation or Exportation of any Articles, nor to enforce any Dues or Charges upon Shipping, contrary to or at variance with any Treaty or Treaties concluded by Her Majesty with any Foreign Power.

Customs Duties may be imposed, not differential, though contrary to existing Acts of Parliament.

XLV. Subject to the Provisions of this Act, and notwithstanding any Act or Acts of the Imperial Parliament now in force to the contrary, it shall be lawful for the Legislature of the Colony to impose and levy such Duties of Customs, as to them may seem fit, on the Importation into the Colony of any Goods, Wares, and Merchandise whatsoever, whether the Produce of or exported from the United Kingdom or any of the Colonies or Dependencies of the United Kingdom, or any Foreign Country: Provided always, that no new Duty shall be so imposed upon the Importation into the said Colony of any Article the Produce or Manufacture of or imported from any particular Country or Place which shall not be equally imposed on the Importation into the said Colony of the like Article the Produce or Manufacture of or exported from all other Countries and Places whatsoever.

Boundaries of the Colony.

XLVI. For the Purpose of this Act, the Boundaries of the Colony of New South Wales shall, except as herein-after excepted, comprise all that Portion of Her Majesty's Territory of Australia or New Holland lying between the

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One hundred and twenty-ninth and One hundred and fifty-fourth Degrees of East Longitude, reckoning from the Meridian of Greenwich, and Northward of the Fortieth Degree of South Latitude, including all the Islands adjacent in the Pacific Ocean within the Latitude aforesaid, and also including Lord Howe Island, being in or about the Latitude of Thirty-one Degrees Thirty Minutes South and the One hundred and fifty-ninth Degree of East Longitude, reckoning from the said Meridian of Greenwich, save and except the Territories comprised within the Boundaries of the Province of South Australia and the Colony of Victoria, as at present established: Provided always, that nothing herein contained shall be deemed to prevent Her Majesty from altering the Boundary of the Colony of New South Wales on the North in such Manner as to Her Majesty may seem fit, nor from detaching from the said Colony that Portion of the same which lies between the Western Boundary of South Australia and the One hundred and twenty-ninth Degree of East Longitude, reckoning from the said Meridian of Greenwich.

Preamble to Civil List Clauses.

And whereas the Legislative Council of New South Wales, constituted under the Imperial Act passed in the Session holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for the "better Government of Her Majesty's Australian Colonies," are desirous that Her Majesty should owe to the spontaneous Liberality of Her People in this Colony such Grant by way of Civil List, in lieu of the Provision contained in the Schedule to that Act, as shall be sufficient to give Stability and Security to the Civil Institutions of the Colony, and to provide for the adequate Remuneration of able and efficient Officers in the executive, judicial, and other Departments of Her Majesty's Colonial Service, the granting of which Civil List belongs constitutionally only to Her Majesty's faithful People through their Representatives in the said Legislative Council; and Her Majesty's most dutiful and loyal Subjects, the Members of the said Legislative Council in Council assembled, being desirous that a certain competent Revenue for the Purpose may be settled upon Her Majesty, (to whom may God grant a long and happy Reign,) as a Testimony of their unfeigned Affection to Her Majesty's Person and Government, have accordingly freely resolved, in lieu of the aforesaid statutable Provision for the like Purpose, to grant to Her Majesty, Her Heirs and Successors, a certain Revenue payable out of the Consolidated Revenue Fund of this Colony: Be it therefore enacted as follows:

All Duties and Revenues to form Consolidated Revenue Fund.

XLVII. All Taxes, Imposts, Rates, and Duties, and all territorial, casual, and other Revenues of the Crown (including Royalties) from whatever Source arising within this Colony, and over which the present or future Legislature has or may have Power of Appropriation, shall form One Consolidated Revenue Fund, to be appropriated for the Public Service of this Colony in the Manner and subject to the Charges herein-after mentioned.

Such Fund permanently charged with Expenses of Collection.

XLVIII. The Consolidated Revenue Fund of this Colony shall be permanently charged with all the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expenses being

subject nevertheless to be reviewed and audited in such Manner as shall be directed by any Act of the Legislature.

Civil List of £64,300 payable to Her Majesty.

XLIX. There shall be payable in every Year to Her Majesty, Her Heirs and Successors, out of the Consolidated Revenue Fund of this Colony, the several Sums, not exceeding in the whole the Sum of Sixty-four thousand and three hundred Pounds, for defraying the Expense of the several Services and Purposes named in the Schedules A. B. and C. to this Act annexed, the said several Sums to be issued by the Colonial Treasurer in discharge of such Warrant or Warrants as shall be from Time to Time directed under the Hand of the Governor; and the said Treasurer shall account to Her Majesty for the same through the Lords Commissioners of Her Majesty's Treasury, in such Manner and Form as Her Majesty shall be graciously pleased to direct.

Civil List to be accompanied by Surrender of all Revenues of the Crown.

L. The said several Sums mentioned in Schedules A. B. and C shall be accepted and taken by Her Majesty, Her Heirs and Successors, by way of Civil List, instead of all territorial, casual, and other Revenues of the Crown (including all Royalties) from whatever Source arising within the said Colony, and to the Disposal of which the Crown may be entitled either absolutely or conditionally, or otherwise howsoever.

Pensions payable to Judges of Supreme Court.

Pensions payable to certain Officers liable to Removal from Office on Political Grounds.

Provisoes in reference to Judges and such Officers.

LI. Not more than Four thousand five hundred and fifty Pounds in each Year shall be payable for Pensions to the Judges of the Supreme Court out of the Sum set apart for Pensions in the said Schedule B.; and not more than Five thousand nine hundred Pounds in each Year shall be payable by way of Pension or Retiring Allowance for the present Incumbents of any Office or Department mentioned in the said Schedule B. who, on political Grounds, may retire or be released from any such Office or Department: Provided always, that Pensions shall be demandable by such Judges, to the Amount of Seven Tenths of their actual Salaries, on permanent Disability or Infirmity, or after Fifteen Years Service as such Judge in this Colony; and that so far as the present Judges are concerned, every Three Years Service in any judicial Office in this Colony, other than the Office of a Judge of the Supreme Court, shall be equivalent to One Year's Service as such Judge of the Supreme Court; provided also, that the Officers so liable to retire or be released shall be the Attorney General, and Solicitor General, the Colonial Secretary, Colonial Treasurer, and Auditor General; and upon the Retirement or Release from Office of any of the present Officers, they shall be entitled by way of Pension or Retiring Allowance to the full Amount of the Salaries respectively received by them at the Time of the passing of this Act: Provided also, that if after the Assignment of any such Pension or Retiring Allowance any of such Judges or Officers shall accept any new Appointment under the Crown, then and in every such Case the Pension or Retiring Allowance of any such Judge or Officer shall merge or be reduced pro tanto during the Tenure of such Appointment, according as the Salary or Emoluments of any such new Appointment are of greater or less Amount than the Pension or Retiring Allowance of such Judge or Officer.

Superannuation Pensions to certain other Offi-

LII. Not more than Three thousand five hundred Pounds in each Year shall be payable for Pensions to superannuated Officers: Provided always, that the Amount

Amount of all such Pensions for such superannuated Officers shall be according to the several Scales and Rates fixed by the Superannuation Act of the Parliament of Great Britain and Ireland, passed in the Session of the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, and that a List of all Pensions granted under this Act, and of the Persons to whom the same shall have been granted, shall be laid in every Year before both Houses of the Legislature of the Colony.

cers not liable to Removal upon Political Grounds.

To be regulated by Superannuation Act, 4 & 5 W. 4. c. 24.

LIII. After and subject to the Payments to be made under the Provisions herein-before contained, all the Consolidated Revenue Fund herein-before mentioned shall be subject to be appropriated to such specific Purposes as by any Act of the Legislature of the Colony shall be prescribed in that Behalf: Provided, that the Consolidation of the Revenues of this Colony shall not affect the Payment of the annual Interest, or the Principal Sums mentioned in any outstanding Debentures or other Charge upon the territorial Revenue as such Interest, Principal, or other Charge severally becomes due, nor shall such Consolidation affect the Payment of any Sum or Sums heretofore charged upon the Taxes, Duties, Rates, and Imposts now raised, levied, and collected, or to be raised, levied, and collected, to and for the Use of this Colony, for such Time as shall have been appointed by any Acts of the said Legislature by which any such Charge was authorized.

Consolidated Revenue to be appropriated by Act of the Legislature.

Debenture or any other Charges on Consolidated Revenue Fund not to be affected by such Consolidation.

LIV. It shall not be lawful for the Legislative Assembly to originate or pass any Vote, Resolution, or Bill, for the Appropriation of any Part of the said Consolidated Revenue Fund, or of any other Tax or Impost, to any Purpose which shall not have been first recommended by a Message of the Governor to the said Legislative Assembly during the Session in which such Vote, Resolution, or Bill shall be passed.

No Money Vote or Bill lawful unless recommended by Governor.

LV. No Part of Her Majesty's Revenue in the said Colony, arising from any of the Sources aforesaid, shall be issued, or shall be made issuable, except in pursuance of Warrants under the Hand of the Governor of the Colony directed to the Public Treasurer thereof.

No Part of Public Revenue to be issued except on Warrants from Governor.

LVI. This Act shall be proclaimed in New South Wales by the Governor thereof within One Calendar Month after official Information of the Royal Assent thereto shall have been received by such Governor, and shall take effect within the said Colony from the Day of the Proclamation thereof.

Proclamation and Commencement of Act.

LVII. In the Construction of this Act, the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of the Colony of New South Wales.

Interpretation of Term "Governor."

LVIII. The foregoing Provisions of this Act shall have no Force or Effect until so much and such Parts of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, intituled "An Act for the better Government of the "Australian Colonies," and the First, Second, and Third Parts of the Schedule A. therein referred to; and of another Act passed in the Fifth and Sixth Years of Her Majesty's Reign, intituled "An Act for the Government of New "South Wales and Van Diemen's Land;" and of another Act passed in the said Fifth and Sixth Years of Her Majesty's Reign, intituled "An Act for "regulating

Provisions of this Act to have no Force until so much of 13 & 14 Vict. c. 59;

and so much also of 5 & 6 Vict. c. 76.;

5 & 6 Vict. c. 36.;

"regulating the Sale of Waste Land belonging to the Crown in the Austra-
"lian Colonies;" and of another Act passed in the Eighth Year of Her
Majesty's Reign, intituled "An Act to clear up Doubts as to the Regulation
"and Audit of the Customs of New South Wales;" and of another Act passed
in the same Year, intituled "An Act to explain and amend the Act for the
"Government of New South Wales and Van Diemen's Land;" and of another
Act passed in the Ninth Year of the Reign of His late Majesty King George
the Fourth, intituled "An Act to provide for the Administration of Justice in
"New South Wales and Van Diemen's Land, and for the more effectual
"Government thereof, and for other Purposes relating thereto;" and of another
Act passed in the Ninth and Tenth Years of Her Majesty's Reign, intituled
"An Act to amend an Act for regulating the Sale of Waste Land belonging to
"the Crown in the Australian Colonies, and to make further Provision for the
"Management thereof," as severally relate to the Colony of New South
Wales, and as are repugnant to this Act, shall have been repealed; and the
entire Management and Control of the Waste Lands belonging to the Crown
in the said Colony of New South Wales, and also the Appropriation of the
gross Proceeds of the Sales of any such Lands, and of all other Proceeds and
Revenues of the same, from whatever Source arising within the said Colony,
including all Royalties, Mines, and Minerals, shall be vested in the Legislature
of the said Colony: Provided, that nothing herein contained shall affect or be
construed to affect any Contract, or to prevent the Fulfilment of any Promise
or Engagement made by or on behalf of Her Majesty, with respect to any
Lands situate within the said Colony, in Cases where such Contracts, Promises,
or Engagements shall have been lawfully made before the Time at which this
Act shall take effect within this Colony, nor to disturb or in any way
interfere with or prejudice any vested or other Rights which have accrued or
belong to the licensed Occupants or Lessees of any Crown Lands within or
without the settled Districts, under and by virtue of the aforesaid Act of the
Parliament passed in the Ninth and Tenth Years of Her Majesty's Reign,
or of any Order or Orders of Her Majesty in Council issued in pursuance
thereof.

and of 7 & 8 Vict. c. 72.;

7 & 8 Vict. c. 74.;

9 Geo. 4. c. 83.;

and 9 & 10 Vict. c. 104.;

as relates to this Colony, and is repugnant to reserved Bills, be repealed. And the entire Management of Crown Lands and all Revenues thence arising be vested in the Local Legislature. This Provision not to affect any previous Contracts of Her Majesty respecting any such Lands, nor any vested Rights which have arisen under 9 & 10 Vict. c. 104., nor any vested Right or Interest which has accrued under any Order of Council issued by Her Majesty in Council in pursuance thereof.

Passed the Legislative Council, this Twenty-first Day of December One thousand eight hundred and fifty-three.

CHARLES NICHOLSON,
Speaker.

W. MACPHERSON,
Clerk of the Council.

In the Name and on the Behalf of Her Majesty, I reserve this Bill for the Signification thereon of Her Majesty's Pleasure.

CHAS. A. FITZROY,
Governor General.

Government House, Sydney,
December 22, 1853.

New South Wales Government.

SCHEDULE (A.)

	Salaries payable whilst the present Incumbents are in Office.			Salaries to be paid in future, as Vacancies occur.		
	£	s.	d.	£	s.	d.
To be placed at the Disposal of Her Majesty, for the Salary of the Governor General, if Her Majesty see fit; otherwise to revert to the Consolidated Revenue Fund -	7,000	0	0	7,000	0	0
One Chief Justice - - - - - -	2,000	0	0	2,000	0	0
Three Judges, including One for Moreton Bay - -	4,500	0	0	4,500	0	0
Colonial Secretary - - - - -	2,000	0	0	2,000	0	0
Colonial Treasurer - - - - - -	1,250	0	0	1,250	0	0
Auditor General - - - - - - -	900	0	0	900	0	0
Attorney General - - - - - -	1,500	0	0	1,500	0	0
Solicitor General - - - - - -	1,000	0	0	1,000	0	0
Governor's Private Secretary - - - - -	400	0	0	400	0	0
Master in Equity and Curator of Intestate Estates and Chief Commissioner of Insolvent Estates - -	1,000	0	0	—		
Chairman of Quarter Sessions and Commissioner of Court of Requests - - - - - - -	800	0	0	—		
	22,350	0	0	20,550	0	0

SCHEDULE (B.)

	£	s.	d.
Pensions to Judges on their ceasing to hold Office (until demandable and claimed, this Amount, or any unclaimed Portion of it, to revert to the Consolidated Revenue Fund) - - - - - - -	4,550	0	0
Pensions to existing Officers of the Government liable on political Grounds to retire or be released from Office, upon their Retirement or Release (upon the Demise of these Officers, or until their Retirement or Release, their respective Pensions, or this Amount (as the Case may be), to revert to the Consolidated Revenue Fund) - - - - - -	5,900	0	0
Pensions to Officers of Government not liable on political Grounds to retire or be released from Office, according to the Scales and Rates fixed by the Superannuation Act of the Imperial Parliament, 4 & 5 W. 4. c. 24. (any Portion of this Fund which may not be drawn during any Year to revert to the Consolidated Revenue Fund) - - - - - -	3,500	0	0
	13,950	0	0

SCHEDULE (C.)

	£	s.	d.
Public Worship - - - - - - - - - -	28,000	9	0

SCHEDULE (2.)

59 G. 3. c. 114. -	An Act to stay Proceedings against any Governor or other Person concerned in imposing and levying Duties in New South Wales; to continue until the 1st Day of January 1821, certain Duties, and to empower the said Governor to levy a Duty on Spirits made in the said Colony.
3 G. 4. c. 96. - -	An Act to continue until the 1st Day of January 1824 an Act passed in the Fifty-ninth Year of His late Majesty relating to imposing and levying Duties in New South Wales; to authorize the imposing and levying other Duties on Goods imported into the said Colony; and to suspend for Ten Years the Payment of Duty on the Importation of certain Goods the Produce of New South Wales.
9 G. 4. c. 83. - -	An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto.
5 & 6 Vict. c. 76. -	An Act for the Government of New South Wales and Van Diemen's Land.
7 & 8 Vict. c. 72. -	An Act to clear up Doubts as to the Regulation and Audit of the Accounts of the Customs in New South Wales.
7 & 8 Vict. c. 74. -	An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land.
13 & 14 Vict. c. 59.	An Act for the better Government of Her Majesty's Australian Colonies.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty, 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. LV.

An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of *Victoria*, to establish a Constitution in and for the Colony of *Victoria*. [16th *July* 1855.]

WHEREAS the Legislative Council of the Colony of *Victoria*, constituted and assembled by virtue of and under the Authority of an Act of Parliament passed in the Fourteenth Year of Her Majesty, Chapter Fifty-nine, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*, did, in the Year One thousand eight hundred and fifty-four, pass a Bill, intituled *An Act to establish a Constitution in and for the Colony of* Victoria: And whereas the said Bill was presented for Her Majesty's Assent to the then Lieutenant Governor of *Victoria*, and the said Lieutenant Governor did thereupon declare that he reserved the said Bill for the Signification of Her Majesty's Pleasure thereon: And whereas it is by the said reserved Bill provided, that the Provisions thereof shall have no Force or Effect until so much and such Parts of certain Acts of Parliament in the said Bill specified as severally relate to the said Colony, and are repugnant to the said reserved Bill, shall have been repealed, and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: And whereas it is not competent to Her Majesty to assent to the

13 & 14 Vict. c. 59.

the said reserved Bill without the Authority of Parliament for that Purpose: And whereas it is expedient that Her Majesty should be authorized to assent to the said reserved Bill, amended by the Omission of certain Provisions thereof, respecting the Assent of the Governor to the Bills which may be passed by the Legislative Councils and Assemblies of the said Colony, and Her Majesty's Power to disallow the same, and respecting the Boundaries of the *Australian* Colonies, and that so much and such Parts as aforesaid of the said specified Acts of Parliament, and of certain other Acts of Parliament herein-after mentioned, should thereupon be repealed, and that the entire Management and Control of the said Waste Lands and Proceeds should be vested in the Legislature of the said Colony: And whereas a Copy of the said Bill, as amended as aforesaid, is set forth in the Schedule (1.) to this Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty to assent to the Bills in Schedule to this Act.

I. It shall be lawful for Her Majesty in Council to assent to the said reserved Bill, so amended as aforesaid, and contained in the Schedule to this Act annexed, anything in the said specified Acts of Parliament, or any other Act, Law, or Usage, to the contrary in anywise notwithstanding.

So much of the Acts in Schedule (2.) to this Act as relates to the Colony of Victoria repealed.

II. From the Day of the Proclamation of this Act in the said Colony of *Victoria* (the said reserved Bill, amended as aforesaid, having been previously assented to by Her Majesty in Council as aforesaid,) so much and such Parts of the several Acts of Parliament mentioned in the Schedule (2.) to this Act as severally relate to the said Colony of *Victoria*, and are repugnant to the said reserved Bill, amended as aforesaid, shall be repealed, and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony of *Victoria*, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the Act of the Thirteenth and Fourteenth Years of Her Majesty, mentioned in the said Schedules, as relates to the Constitution, Appointment, and Powers of the Legislative Council of the said Colony of *Victoria*, shall continue in force until the First Writs shall have issued for the Election of Members to serve in the Legislative Council and House of Assembly, in pursuance to the Provisions of the said reserved Bill, amended and assented to as aforesaid, but no longer: Provided that nothing herein contained shall prevent or be construed to prevent the Fulfilment of any Contract, Promise, or Engagement made by or on behalf of Her Majesty with respect to any Lands situate within the said Colony in any Cases where such Contract,

Contract, Promise, or Engagement shall have been lawfully made before the Time at which this Act shall take effect within the said Colony.

Provisions former Acts respecting the Allowance and Disallowance of Bills preserved.

III. The Provisions of the said Act of the Fourteenth Year of Her Majesty, Chapter Fifty-nine, and of the Act of the Fifth and Sixth Years of Her Majesty, Chapter Seventy-six, "for the "Government of *New South Wales* and *Van Diemen's Land*," which relate to the giving and withholding of Her Majesty's Assent to Bills, and the Reservation of Bills for the Signification of Her Majesty's Pleasure thereon, and the Instructions to be conveyed to Governors for their Guidance in relation to the Matters aforesaid, and the Disallowance of Bills by Her Majesty, shall apply to Bills to be passed by the Legislative Council and Assembly constituted under the said reserved Bill and this Act, and by any other Legislative Body or Bodies which may at any Time hereafter be substituted for the present Legislative Council and Assembly.

Power to repeal and alter the Provisions of the reserved Bill.

IV. It shall be lawful for the Legislature of *Victoria* to make Laws altering or repealing all or any of the Provisions of the said reserved Bill, in the same Manner as any other Laws for the good Government of the said Colony, subject, however, to the Conditions imposed by the said reserved Bill on the Alteration of the Provisions thereof in certain Particulars until and unless the said Conditions shall be repealed or altered by the Authority of the said Legislature.

Commencement of the Act.

V. This Act shall be proclaimed in *Victoria* by the Governor thereof within One Month after a Copy thereof shall have been received by such Governor, and this Act and the said reserved Bill, as amended as aforesaid, (such Bill being first assented to by Her Majesty in Council,) shall take effect in the said Colony from the Day of such Proclamation.

Interpretation of Terms.

VI. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government, and the Word "Legislature" shall include as well the Legislature to be constituted under the said reserved Bill and this Act, as any future Legislature which may be established in the said Colony under the Powers in the said reserved Bill and this Act contained.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (1.)

An Act to establish a Constitution in and for the Colony of Victoria.

Preamble.

WHEREAS by an Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, passed in the Session holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act "for the better Government of Her Majesty's Australian Colonies," it was amongst other things enacted, that, notwithstanding anything therein-before contained, it should be lawful for the Governor and Legislative Council of the Colony of Victoria, after the Establishment therein of a Legislative Council under the said Act, from Time to Time, by any Act or Acts, to alter the Provisions or Laws for the Time being in force under the said Act, or otherwise concerning the Election of the Elective Members of such Legislative Council, the Qualification of Electors and Elective Members, or to establish in the said Colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist respectively of such Members to be appointed or elected respectively by such Persons and in such Manner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Houses, the Powers and Functions of the Legislative Council for which the same might be substituted: And whereas it is expedient to establish in the said Colony separate Legislative Houses, and to vest in them as well the Powers and Functions of the Legislative Council now subsisting as the other and additional Powers and Functions herein-after mentioned: Be it therefore enacted by His Excellency the Lieutenant Governor of the said Colony of Victoria, by and with the Advice and Consent of the Legislative Council thereof, as follows:

Separate Legislative House established.

I. There shall be established in Victoria, instead of the Legislative Council now subsisting, One Legislative Council and One Legislative Assembly, to be severally constituted in the Manner herein-after provided; and Her Majesty shall have Power, by and with the Advice and Consent of the said Council and Assembly, to make Laws in and for Victoria, in all Cases whatsoever.

Legislative Council constituted

II. The Legislative Council of Victoria shall consist of Thirty Members, to be elected as herein-after provided; and for the Purpose of returning such Members the said Colony shall be divided into Six Electoral Provinces, the Boundaries whereof, for the Purposes of this Act, shall be taken to be those set forth in the Schedule marked E. hereunto annexed, and each such Province shall return an equal Number of Members.

III. At

III. At the First Election of the Members of the said Council held after this Act shall have come into operation, each Province shall return the Number of Members assigned thereto in the said Schedule, and at the Expiration of Two Years from the Date of such First Election, and thenceforward at the Expiration of every succeeding Period of Two Years, One of the Members returned for each of the said Electoral Provinces respectively shall retire from the said Council, and those shall so retire who shall have been for the longest Time Members thereof without Re-election: Provided that any Member elected in the Place of a Member dying, resigning, or retiring, otherwise than by Rotation, shall hold his Seat only so long as the Member in whose Place he has been elected would have been entitled to have held the same; provided further, that of Members elected for any Province at the First Election as aforesaid, the Member who may at his Election have received the least Number of Votes shall first so retire, and in case of an Equality of Votes, or of no Polling having taken place at such Election, it shall be decided by Lot which Member shall so retire; provided also, that any Member so retiring shall, if otherwise qualified, be capable of being re-elected. **Retirement of Members in rotation.**

IV. No Person shall be capable of being elected a Member of the Legislative Council who shall not be of the full Age of Thirty Years, and a natural-born Subject of the Queen, and who shall not for One Year previous to such Election have been legally or equitably seised of or entitled to an Estate of Freehold in possession, for his own Use and Benefit, in Lands and Tenements in the said Colony of Victoria of the Value of Five thousand Pounds Sterling Money, or of the annual Value of Five hundred Pounds Sterling Money, above all Charges and Incumbrances affecting the same respectively: Provided that no Judge of any Court of the said Colony appointed during good Behaviour, nor any Minister of any Religious Denomination, whatever may be his Title, Rank, or Designation, shall be capable of being elected a Member of the Legislative Council; provided further, that no Person who shall have been attainted of any Treason, or convicted of any Felony or infamous Offence, within any Part of Her Majesty's Dominions, shall be capable of being elected a Member of the Legislative Council. **Qualification of Members.**

V. Every Man of the Age of Twenty-one Years, being a natural-born Subject of Her Majesty, or being a naturalized Subject, or a legally-made Denizen of Victoria, (such Naturalization or Denization having been made Three Years previous to the Date of the last Registration of Electors made in pursuance of the Provisions hereof,) and having resided in Victoria for any One Year previous to such Registration, who shall have a Freehold Estate in possession, for his own Use and Benefit, in Lands and Tenements, situate within the Electoral Province for which his Vote is to be given of the clear Value of One thousand Pounds Sterling Money, or of the clear annual Value of One hundred Pounds Sterling Money, above all Charges and Incumbrances affecting the same respectively, or shall have a Leasehold Estate in possession, situated as aforesaid, held upon a Lease whereby a Rent of One hundred Pounds or upwards shall be reserved, or of the clear annual Value of One hundred Pounds above all Charges and Outgoings, every such Lease having been granted for a Period of not less than Five Years, or who shall be resident within the Electoral Province for which his Vote is to be given, and be a Graduate of any University in the British Dominions, or a Barrister or Solicitor on the Roll of the Supreme Court of Victoria, or a legally qualified Medical Practitioner, or an officiating **Qualification of Electors.**

Minister, or an Officer or retired Officer of Her Majesty's Land or Sea Forces, except on actual Service, shall, being duly registered, be entitled to vote at the Election of a Member or Members of the Legislative Council: Provided, that no Person shall be entitled to be registered as such Elector for any Province in respect of any such Estate, Occupation, or Qualification as aforesaid, unless he shall have been seised or possessed of or occupied or held the same respectively for the Period of Twelve Calendar Months at least previous to such Registration as aforesaid; provided also, that no Person shall be entitled to be registered as aforesaid who shall have been attainted or convicted of Treason, Felony, or other infamous Offence, in any Part of Her Majesty's Dominions, unless he shall have received a free Pardon, or have undergone the Sentence passed on him for such Offence; provided also, that no Man shall be entitled to be registered in respect of any such Estate or Occupation as aforesaid unless at the Time of such Registration of Electors he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupation, except such as shall have become payable during Three Calendar Months next before such Registration; provided further, that no Person who shall attain the Age of Twenty-one Years after the Expiration of Two Years from the passing hereof shall be entitled to be registered as aforesaid unless he shall be able to read and write.

Election of President.

VI. The Legislative Council shall, at its First Meeting, and before proceeding to the Despatch of any other Business, elect One Member of the said Council to be the President thereof; and as often as the Place of the said President shall become vacant by Death, Resignation, or Removal by a Vote of the Council or by Disallowance as herein-after mentioned, or otherwise, shall forthwith proceed to elect some other Member to be the President thereof, and the President so elected shall preside at the Meetings of the Council: Provided, that it shall be lawful for the Governor to disallow the Choice of any such President, and upon such Disallowance being signified by the Governor to the Council the Place of such President shall become vacant.

Declaration by Members.

VII. Every Member of the Legislative Council, before he shall sit or vote in the Council, after the Election of a President, shall make and subscribe a Declaration in Writing under his Hand, and deliver the same to the Clerk of the Council at the Place where and while the Council is sitting, with the President in the Chair, which Declaration shall be in the Form set forth in the Schedule hereunto annexed marked A.; and the said Declaration shall be filed and kept by the Clerk with the other Records of the Office; and every Member who shall sit or vote in the Council, after the Election of a President, before making such Declaration as aforesaid, shall be liable for every Day on which he shall so offend to pay the Sum of Two hundred Pounds, to be recovered by any Person who shall sue for the same in any Court of competent Jurisdiction.

Resignation of Members.

VIII. It shall be lawful for any Member to resign his Seat in the Legislative Council by a Letter addressed to the Governor, and from the Time when the same shall have been received by the Governor the Seat of such Member shall become vacant.

Quorum of Legislative Council.

IX. The Legislative Council shall not be competent to the Despatch of Business unless there be present, exclusive of the President, One Third at least of the Members of the said Council, or if the whole Number of Members thereof shall

shall not be exactly divisible by Three, then such integral Number as is next greater than One Third of the Members of the said Council; and all Questions, save as herein excepted, which shall arise in the Council, shall be decided by a Majority of the Members present, other than the President, and when the Votes shall be equal the President shall have the Casting Vote.

Legislative Assembly, how constituted.

X. The Legislative Assembly of Victoria shall consist of Sixty Members, to be elected as herein-after provided; and for the Purpose of returning such Members the said Colony shall be divided into Thirty-seven Electoral Districts, the Boundaries whereof shall for the Purposes of this Act be those set forth in the Schedule hereunto annexed marked F., each of which Districts shall return the Number of Members assigned thereto in the said Schedule.

Qualification of Members.

XI. No Person shall be capable of being elected a Member of the Assembly who shall not be of the full Age of Twenty-one Years, or who shall not be a natural-born Subject of the Queen, or have been naturalized by Law for the Space of Five Years, and been resident in Victoria for the Space of Two Years previous to such Election, and who shall not be legally or equitably seised of or entitled to an Estate of Freehold in possession, for his own Use and Benefit, in Lands and Tenements in Victoria of the Value of Two thousand Pounds Sterling Money, or of the annual Value of Two hundred Pounds Sterling Money above all Charges and Incumbrances affecting the same: Provided, that no Person shall be capable of being elected a Member to serve in the Assembly who shall be a Judge of any Court of the said Colony appointed during good Behaviour, or a Minister of any Religious Denomination, whatever may be his Title, Rank, or Designation; provided further, that no Person who shall have been attainted of any Treason, or convicted of any Felony or infamous Crime, in any Part of Her Majesty's Dominions, shall be capable of being elected a Member of the said Assembly.

Qualification of Electors.

XII. Every Man of the Age of Twenty-one Years, being a natural-born Subject of Her Majesty, or being a naturalized Subject or a legally-made Denizen of Victoria, and having resided in the said Colony for any One Year previous to the Date of the last Registration of Electors, who shall have a Freehold Estate in possession, situate within the Electoral District for which his Vote is to be given, of the clear Value of Fifty Pounds Sterling Money, or of the clear annual Value of Five Pounds Sterling Money above all Charges and Incumbrances in any way affecting the same, or shall have a Leasehold Estate in possession, situate as aforesaid, of the annual Value of Ten Pounds Sterling Money above all Charges and Incumbrances affecting the same, or shall be a Householder within such District occupying any House, Warehouse, Counting-house, Office, Shop, or other Building or Premises of the clear annual Value of Ten Pounds Sterling Money, or shall, in consideration of any Payment to the Public Revenue, be entitled, under any Law now or hereafter to be in force, to occupy, for the Space of Twelve Months or upwards, any Portion of the Waste Lands of the Crown situate as aforesaid, or shall, being resident within the Electoral District for which his Vote is to be given, be in receipt of an annual Salary of One hundred Pounds Sterling Money, shall, being duly registered, be entitled to vote at the Election of a Member or Members of the Legislative Assembly: Provided, that no Person shall be entitled to be registered as an Elector upon the Electoral Roll of any Electoral District unless he shall have been seised or possessed of, or occupied, used, enjoyed, held, or been in receipt of the Qualification

cation in respect whereof he shall claim to be registered for the Period of Six Calendar Months at least previous to such Registration; provided also, that no Person shall be entitled to be registered as aforesaid who shall have been attainted or convicted of Treason, Felony, or other infamous Offence, in any Part of Her Majesty's Dominions, unless he shall have received a free Pardon, or undergone the Sentence passed on him for such Offence; provided further, that no Man shall be entitled to be registered as aforesaid in respect of such Estate or Occupation unless at the Time of such Registration he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupation, except such as shall have become payable during Three Calendar Months next before such Registration; provided lastly, that no Person who shall attain the Age of Twenty-one Years after the Expiration of Two Years from the passing hereof shall be entitled to be registered unless he shall be able to read and write.

Joint Interests.

XIII. Where any Premises are jointly owned or occupied or held upon Lease by more Persons than One, each of such Joint Owners, Occupiers, or Leaseholders shall be entitled to be registered as an Elector, and to vote at the Election of Members to serve in the Council or Assembly, as the Case may be, provided the Value of his individual Share or Interest in the said Premises would under the Provisions of this Act entitle such Owner, Occupier, or Leaseholder to be registered as such Elector, and to vote as aforesaid.

Provision as to Trustees and Mortgagees.

XIV. No Person shall be allowed to have any Vote in the Election of a Member of the Council or Assembly for or by reason of any Trust Estate or Mortgage, unless such Trustee or Mortgagee be in actual Possession or Receipt of the Rents and Profits of the same Estate, but the Mortgagor or Cestuique Trust in possession shall and may vote for the same Estate, notwithstanding such Mortgage or Trust.

What to be a Charge or Incumbrance.

XV. No public Tax, Rate, or Charge shall be deemed to be any Charge or Incumbrance on Lands within the Meaning of this Act.

Members of Council incapable of being Members of Assembly, and vice versâ.

XVI. No Person, being a Member of the Council, shall be capable of being elected or of sitting or voting as a Member of the Assembly, nor shall any Person being a Member of the said Assembly be capable of being elected or of sitting or voting as a Member of the said Council.

Persons becoming incapable.

XVII If any Member of the Legislative Council or the Legislative Assembly shall accept of any Office of Profit under the Crown during Pleasure, his Seat shall thereupon become vacant, but such Person shall, if otherwise duly qualified, be capable of being re-elected.

Who are to be responsible Officers.

XVIII. Of the following Officers of Government for the Time being, that is to say, the Colonial Secretary or Chief Secretary, Attorney General, Colonial Treasurer or Treasurer Commissioner of Public Works, Collector of Customs or Commissioner of Trade and Customs, Surveyor General or Commissioner of Crown Lands and Survey, and Solicitor General, or the Persons for the Time being holding those Offices, Four at least shall be Members of the Council or Assembly.

Duration of Assembly.

XIX. Every Assembly hereafter to be summoned and chosen shall continue for Five Years from the Day of the Return of the Writs for choosing the same, and no longer, subject nevertheless to be sooner dissolved by the Governor.

XX. The

Victoria Government.

XX. The Legislative Assembly of Victoria shall, at its First Meeting after every General Election, and before proceeding to the Despatch of any other Business, elect a Member of such Assembly to be Speaker, and in case of his Death, Resignation, or Removal by a Vote of the Assembly, shall forthwith proceed to elect some other Member to be Speaker; and the Speaker so elected shall preside at the Meetings of the Assembly, except as may be provided by the Standing Rules and Orders hereby authorized to be made. Election of Speaker.

XXI. The Legislative Assembly shall not be competent to the Despatch of Business unless there be present, exclusive of the Speaker, Twenty Members thereof; and all Questions, save as herein excepted, which shall arise in the Assembly, shall be decided by the Majority of Members present, other than the Speaker, and when the Votes shall be equal the Speaker shall have the Casting Vote. Quorum of Assembly.

XXII. No Omission or Failure to elect a Member or Members in or for any Electoral Province or District, nor the vacating the Seat or avoiding the Election of any such Member or Members, shall be deemed or taken to make either the Legislative Council or the Legislative Assembly, as the Case may be, incomplete, or to invalidate any Proceedings thereof, or to prevent such Council or Assembly from meeting, and despatching Business, so long as there shall be a Quorum of Members present. Quorum of Houses may act, though Election may have failed.

XXIII. It shall be lawful for any Member to resign his Seat in the Legislative Assembly by Writing under his Hand addressed to the Speaker, and from the Time when the same shall have been received by the Speaker the Seat of such Member shall become vacant. Resignation of Members.

XXIV. If any Member of the Legislative Council or Legislative Assembly shall, for One entire Session thereof, without the Permission of the said Council or Assembly, as the Case may be, fail to give his Attendance in such Council or Assembly, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or shall become bankrupt or an Insolvent Debtor, within the Meaning of the Laws in force within Victoria relating to Bankrupts or Insolvent Debtors, or shall become a Public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Crime, or become non compos mentis, his Seat in the said Council or Assembly, as the Case may be, shall thereby become vacant. Seat, how vacated.

XXV. Any Person who shall, directly or indirectly, himself, or by any Person whosoever in trust for him or for his Use or Benefit or on his Account, undertake, execute, hold, or enjoy, in the whole or in part, any Contract or Agreement for or on account of the Public Service, shall be incapable of being elected or of sitting or voting as a Member of the Council or Assembly during the Time he shall execute, hold, or enjoy any such Contract, or any Part or Share thereof, or any Benefit or Emolument arising from the same: Provided, that nothing herein contained shall extend to any Contract or Agreement made, entered into, or accepted by any Company or Association consisting of more than Twelve Persons, where such Contract or Agreement shall be made, Public Contractors incapable.

entered into, or accepted for the general Benefit of such Company or Association; provided also, that if any Member of the Council or Assembly shall enter into any such Contract or Agreement his Seat shall be declared by the said Council or Assembly respectively to be and shall thereupon become void.

Effects of Incapacity.

XXVI. If any Person by this Act disabled or declared to be incapable to sit or vote in the Legislative Council or Legislative Assembly be elected and returned as a Member to serve in the said Council or Assembly, such Election and Return may be declared by the said Council or Assembly, as the Case may be, to be void, and thereupon the same shall become void to all Intents and Purposes; and if any Person so elected and returned contrary to the Provisions of this Act shall sit or vote as Member of the said Council or Assembly, he shall be liable to pay the Sum of Two hundred Pounds, to be recovered by any Person who shall sue for the same in any Court of the said Colony having competent Jurisdiction.

Power for existing Legislature to make Provision for regulating Elections, &c.

XXVII. The Legislature of Victoria in existence at the Time of the Proclamation of this Act, as herein-after mentioned, shall, by an Act or Acts to be for that Purpose made and passed in the Manner and subject to the Conditions required in respect of any Act or Acts made or passed by such Legislature, make all necessary Provision for the Compilation and Revision of Lists of all Persons qualified to vote at the Elections of Members to serve in the said Council and Assembly respectively, and for the Registration of such Persons, and for the appointing of Returning Officers at such Elections, and for the issuing, executing, and returning the necessary Writs for the same, and generally for declaring and filling up all Vacancies in such Council and Assembly respectively, and for regulating the Proceedings and taking the Poll at all such Elections, and for determining the Validity of all disputed Returns and Elections, and otherwise for ensuring the orderly, effective, and impartial Conduct of all such Elections.

Convocation, Prorogation, and Dissolution.

XXVIII. It shall be lawful for the Governor to fix such Places within Victoria, and, subject to the Limitation herein contained, such Times for holding the First and every other Session of the Council and Assembly, and to vary and alter the same respectively in such Manner as he may think fit, and also from Time to Time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he shall deem it expedient: Provided, that nothing herein contained shall empower the Governor to dissolve the Council.

Sessions of Council and Assembly.

XXIX. There shall be a Session of the Council and Assembly of Victoria once at least in every Year, so that a Period of Twelve Calendar Months shall not intervene between the last Sitting of the Council and Assembly in one Session and the First Sitting of the Council and Assembly in the next Session.

Time of First Election.

XXX. The First Writs for the Election of Members of the Council and Assembly respectively shall issue at some Period not later than Twelve Calendar Months after the Proclamation of this Act within Victoria.

Declaration by Members.

XXXI. Every Member of the Legislative Assembly shall, after the Election of the Speaker, before he shall sit or vote in such Assembly, make and subscribe

scribe a Declaration in Writing under his Hand, and deliver the same to the Clerk of the Assembly at the Place where and while the House is sitting, with the Speaker in the Chair, which Declaration shall be in the Form set forth in the Schedule hereunto annexed marked B., and the said Declaration shall be filed and kept by the Clerk with the other Records of the Office; and every Member who shall sit or vote in the said Assembly after the Election of a Speaker, before making such Declaration as aforesaid, shall be liable for every Day on which he shall so offend to a Penalty of Two hundred Pounds.

Oath of Allegiance.

XXXII. No Member either of the Council or of the Assembly shall be permitted to sit or vote therein respectively until he shall have taken and subscribed before the Governor, or before some Person authorized by the Governor in that Behalf, the Oath set forth in the Schedule hereunto annexed marked C.; and every Person authorized by Law to make an Affirmation instead of making an Oath may make such Affirmation in every Case in which an Oath is herein required to be taken.

False Declaration.

XXXIII. If any Member either of the Council or Assembly shall knowingly and wilfully make a false Declaration respecting his Qualification as aforesaid, such Person shall be deemed to be guilty of a Misdemeanor, and, being thereof lawfully convicted, shall suffer the like Pains and Penalties as by Law are incurred by Persons guilty of wilful and corrupt Perjury.

Standing Rules and Orders.

XXXIV. The Legislative Council and Legislative Assembly, in the First Session of each respectively, and from Time to Time afterwards as there shall be Occasion, shall prepare and adopt Standing Rules and Orders for providing for the Manner in which such Council and Assembly shall be presided over in case of the Absence of the President or Speaker respectively, and for the Mode in which such Council and Assembly shall communicate, and for the proper passing, intituling, and numbering of the Bills to be introduced into and passed by the said Council and Assembly, and for the proper Presentation of the same to the Governor for Her Majesty's Assent, and for the Consideration of all Amendments proposed to be made by the Governor, as herein mentioned, and for the due Publication of all proposed Proceedings in such Council and Assembly, and generally for the Conduct of all Business and Proceedings in the said Council and Assembly severally and collectively, all which Rules and Orders shall by such Council and Assembly respectively be laid before the Governor, and being by him approved shall become binding and of Force; and until such Standing Rules and Orders shall be adopted, Resort shall be had to the Rules, Forms, and Usages of the Imperial Parliament of Great Britain and Ireland, which shall be followed, so far as the same may be applicable to the Proceedings of the said Council and Assembly respectively: Provided, that no Standing Rule or Order which shall affect the Communication between the said Council and Assembly, or the Proceedings of the said Council and Assembly collectively, shall be of any Force unless the same shall have been adopted both by the said Council and Assembly.

Privileges of Legislature.

XXXV. It shall be lawful for the Legislature of Victoria by any Act or Acts to define the Privileges, Immunities, and Powers to be held, enjoyed, and exercised by the Council and Assembly, and by the Members thereof respectively:

respectively: Provided, that no such Privileges, Immunities, or Powers shall exceed those now held, enjoyed, and exercised by the Commons House of Parliament or the Members thereof.

Governor's Message.

XXXVI. It shall be lawful for the Governor to transmit by Message to the Council or Assembly for their Consideration any Amendment which he shall desire to be made in any Bill presented to him for Her Majesty's Assent; and all such Amendments shall be taken into consideration in such convenient Manner as shall by the Rules and Orders aforesaid be in that Behalf provided.

Appointment to Public Offices.

XXXVII. The Appointment to Public Offices under the Government of Victoria, hereafter to become vacant or to be created, whether such Offices be salaried or not, shall be vested in the Governor, with the Advice of the Executive Council, with the Exception of the Appointments of the Officers liable to retire from Office on Political Grounds, which Appointments shall be vested in the Governor alone.

Commissions of Judges.

XXXVIII. The Commissions of the present Judges of the Supreme Court and all future Judges thereof shall be, continue, and remain in full Force during their good Behaviour, notwithstanding the Demise of Her Majesty or of Her Heirs and Successors, any Law, Usage, or Practice to the contrary hereof in anywise notwithstanding: Provided always, that it may be lawful for the Governor to remove any such Judge or Judges, upon the Address of both Houses of the Legislature.

Salaries of Judges

XXXIX. Such Salaries as are settled upon the Judges for the Time being by Act of Parliament or otherwise, and all such Salaries as shall or may be in future granted by Her Majesty, Her Heirs and Successors, or otherwise, to any future Judges of the said Supreme Court, shall in all Time coming be paid and payable to every such Judge for the Time being so long as his Patent or Commission shall continue and remain in force.

Existing Laws.

XL. All Laws and Statutes which at the Time of the passing of this Act shall be in force within Victoria shall remain and continue to be of the same Force, Authority, and Effect as if this Act had not been made, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue and under the Authority of this Act, be repealed or varied by any Act or Acts of the Legislature of Victoria.

Existing Courts and Offices.

XLI. All the Courts of Civil and Criminal Jurisdiction within Victoria, and all Charters, legal Commissions, Powers, and Authorities, and all Offices, judicial, administrative, or ministerial, therein respectively, except in so far as the same may be abolished, altered, or varied by or may be inconsistent with the Provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the Legislature, shall continue to subsist in the same Form and with the same Effect as if this Act had not been made.

Certain Duties may not be levied.

XLII. It shall not be lawful for the Legislature of Victoria to levy any Duty on Articles imported bonâ fide for the Supply of Her Majesty's Land or Sea Forces, nor to levy any Duty, impose any Prohibition or Restriction, or grant any Exemption, Bounty, Drawback, or other Privilege upon the Importation

Importation or Exportation of any Articles, nor to impose or enforce any Dues or Charges upon Shipping, contrary to or at variance with any Treaty or Treaties concluded by Her Majesty with any Foreign Power.

Powers to levy Duties of Customs.

XLIII. Subject to the Provisions of this Act, and notwithstanding any Act of Parliament now in force to the contrary, it shall be lawful for the Legislature to impose and levy such Duties of Customs as to them may seem fit on the Exportation from or Importation into Victoria of any Goods, Wares, and Merchandise whatsoever, whether the Produce of or imported from the United Kingdom, or any of the Colonies or Dependencies of the United Kingdom, or any Foreign Country: Provided always, that no new Duty shall be so imposed upon the Importation into Victoria of any Article the Produce or Manufacture of or imported from any particular Country or Place which shall not be equally imposed on the Importation into Victoria of the like Article the Produce or Manufacture of or imported from all other Countries and Places whatsoever.

Proviso.

Consolidated Revenues.

XLIV. All Taxes, Imposts, Rates, and Duties, and all territorial, casual, and other Revenues of the Crown, (including Royalties,) from whatever Source arising, within the Colony of Victoria, or over which the present or any future Legislature has or may have Power of Appropriation, shall form One consolidated Revenue, to be appropriated for the Public Service of the Colony of Victoria, in the Manner and subject to the Charges herein-after mentioned.

Charges of Collection and Management.

XLV. The consolidated Revenue of Victoria shall be permanently charged with all the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expenses being subject, nevertheless, to be reviewed and audited in such Manner as shall be directed by any Act of the Legislature.

Civil List.

XLVI. There shall be payable in every Year to Her Majesty, Her Heirs and Successors, out of the consolidated Revenue of Victoria, the several Sums not exceeding in the whole One hundred and twelve thousand seven hundred and fifty Pounds, for defraying the Expense of the several Services and Purposes named in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Parts of the Schedule to this Act annexed marked D., and the said Sums shall be issued by the Treasury of Victoria in discharge of such Warrants as shall be from Time to Time directed to him under the Hand of the Governor, and the said Treasurer shall account to Her Majesty for the same through the Lords Commissioners of Her Majesty's Treasury, in such Manner and Form as Her Majesty shall be graciously pleased to direct; and Accounts in detail of the Expenditure of the several Sums expended under the Authority of this Act shall be laid before the Legislative Houses of Victoria within Thirty Days from the Beginning of the Session next after the Termination of the Year in which such Expenditure shall have been made.

Civil List to be in lieu of Crown Revenues.

XLVII. The said several Sums mentioned in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Parts of the said Schedule D. shall be accepted and taken by Her Majesty, Her Heirs and Successors, by way of Civil List, instead of all territorial, casual, and other Revenues of the Crown (including all Royalties), from whatever Source arising, within Victoria, and to the Disposal of which the Crown may be entitled either absolutely or conditionally, or otherwise howsoever.

Governor may abolish certain Offices.

XLVIII. It shall be lawful for the Governor to abolish any of the Offices named in the Third and Fourth Parts of the said Schedule, or to apply the Sums thereby appropriated to such other Purposes connected with the Administration of the Government of Victoria as to Her Majesty, Her Heirs and Successors, shall seem fit.

Pensions to Judges.

XLIX. Not more than Four thousand Pounds shall be payable at the same Time for Pensions to the Judges of the Supreme Court out of the Sums set apart for such Pensions in the Fifth Part of the said Schedule: Provided, that all such Pensions shall be granted in accordance with Regulations to be framed by the Governor and Executive Council, so that the same shall, as far as may be, accord with the Act of the Imperial Parliament regulating the Pensions of the Judges of the United Kingdom.

Pensions to present Incumbents of Office.

L. Not more than Five thousand two hundred and fifty Pounds shall be payable in the whole by way of Pension or Retiring Allowance to the Persons holding any of the Offices mentioned in the Sixth Part of the said Schedule D. at the Time of this Act coming into operation, who on political Grounds may retire or be released from any such Office, or whose Office may be abolished after the Time aforesaid; and upon the Retirement or Release from Office of any of such Persons mentioned in the said Sixth Part, or the Abolition of any such Office, he shall be entitled by way of Pension or Retiring Allowance to Three Fourths of the Salary granted to him, in accordance with the Appropriation Act for the Service of the Year One thousand eight hundred and fifty-three, if he shall have held any Office for Ten Years and upwards, and Two Thirds of such Salaries if he shall have held Office for a less Period: Provided, that, if after the Assignment of any such Pension or Retiring Allowance, any such Officer shall accept any new Appointment under the Crown within Victoria or elsewhere, his Pension or Retiring Allowance shall during the Tenure of such Appointment merge or be reduced pro tanto according as the Salary or Emoluments of any such new Appointment are in Amount equal to or less than the Pension or Retiring Allowance of such Officer.

Proviso.

Pensions to responsible Officers.

LI. Not more than Four thousand Pounds shall be payable in the whole by way of Pensions or Retiring Allowance to the Persons who may, after the Time this Act shall come into operation, accept any of the Offices mentioned in the said Schedule D., Part 3., and who on political Grounds may retire or be released from any such Office: Provided, that no Person shall be entitled to receive

receive any Pension or Retiring Allowance both under this and the preceding Clause: Provided, that the Amount of all such Pensions and Retiring Allowances shall be granted in accordance with Regulations to be framed by the Governor and Executive Council, so that the same shall, so far as may be, accord with the Provisions of the Act of the Parliament of Great Britain and Ireland, passed in the Session of the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to alter, amend, and "consolidate the Laws for regulating the Pensions, Compensations, and "Allowances to be made to Persons in respect to their having held Civil "Offices in His Majesty's Service:" Provided also, that if after the Assignment of any such Pension or Retiring Allowance to any Person he shall accept any new Appointment under the Crown, either in Victoria or elsewhere, the Pension or Retiring Allowance of such Officer shall, during the Tenure of such Appointment, merge or be reduced pro tanto according as the Salary or Emolument of any such new Appointment is in Amount equal to or less than the Pension or Retiring Allowance of such Officer: Provided further, that if any such Officer shall be absent from the Colony for more than Two Years, unless he shall be of the full Age of Sixty Years, his Pension shall cease and determine: Provided lastly, that the Amount accumulating from any unexpended or unappropriated Parts of the said Sums mentioned in the Fifth and Seventh Parts of the said Schedule D. shall in no case exceed the Sum of Ten thousand Pounds on each, and that any Balance above that Amount on either of the said Fifth or Seventh Parts shall revert to the Consolidated Revenue of Victoria.

List of Pensions, &c.

LII. A List of all Pensions granted under this Act, and of the Persons to whom the same shall have been granted, shall be laid in every Year before both Legislative Houses of the said Colony.

Money for Purposes of Religion.

LIII. For the Advancement of the Christian Religion in Victoria, the Sum of Fifty thousand Pounds shall be reserved on the Eighth Part of the said Schedule to promote the Erection of Buildings for Public Worship, and the Maintenance of Ministers of Religion; and such Sum shall be apportioned to each Denomination according to the relative Proportion of the Members of such Denomination by the last Census; every such Apportionment to be made under Regulations to be framed by the Governor and Executive Council, and submitted to both the Legislative Houses: Provided, that no Monies exceeding in the aggregate the Sum of Twenty-five thousand Pounds shall be issued in any One Year in aid of the Stipends of Ministers of Religion.

Waste Lands of the Crown.

LIV. Subject to the Provisions herein contained, it shall be lawful for the Legislature of Victoria to make Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown within the said Colony, and of all Mines and Minerals therein.

Power to appropriate consolidated Revenue.

LV. After and subject to the Payments to be made under the Provisions herein-before contained, and to any Pensions now payable and received under the Act firstly herein-before recited, and the Schedule thereunto annexed marked B., all the consolidated Revenue arising from Taxes, Duties, Rates, and Imposts levied by virtue of any Act of the Legislature, and from the Disposal of the Waste Lands of the Crown under any such Act made in pursuance of the

the Authority herein contained, shall be subject to be appropriated to such specific Purposes as by any Act of the said Legislature shall be provided in that Behalf: Provided, that the Consolidation of the Revenues shall not affect the Payment of the annual Interest or the Principal Sums mentioned in any outstanding Debentures or other Charge upon the territorial Revenue as such Interest, Principal, or other Charge severally becomes due, nor shall such Consolidation affect the Payment of any Sums heretofore charged upon the Taxes, Duties, Rates, and Imposts now raised, levied, and collected, or to be raised, levied, and collected, to and for the Use of the Colony, for such Time as shall have been appointed by any Acts of the Legislature by which any such Charge was authorized.

Appropriation Bills.

LVI. All Bills for appropriating any Part of the Revenue of Victoria, and for imposing any Duty, Rate, Tax, Rent, Return, or Impost, shall originate in the Assembly, and may be rejected but not altered by the Council.

Appropriation to be in pursuance of Message

LVII. It shall not be lawful for the Legislative Assembly to originate or pass any Vote, Resolution, or Bill, for the Appropriation of any Part of the said Consolidated Revenue Fund, or of any other Duty, Rate, Tax, Rent, Return, or Impost, for any Purpose which shall not have been first recommended by a Message of the Governor to the Legislative Assembly during the Session in which such Vote, Resolution, or Bill shall be passed.

Warrants for Issue of Money.

LVIII. No Part of Her Majesty's Revenue in Victoria arising from any of the Sources aforesaid shall be issued, or shall be made issuable, except in pursuance of Warrants under the Hand of the Governor, directed to the Public Treasurer thereof.

Proclamation of this Act.

LIX. This Act shall be proclaimed in Victoria within Three Months after official Information of the Royal Assent thereto shall have been received by the Governor thereof, and, save as herein expressly provided, shall take effect in Victoria from the Day of such Proclamation.

Power for Legislature to alter this Act.

LX. The Legislature of Victoria, as constituted by this Act, shall have full Power and Authority from Time to Time, by any Act or Acts, to repeal, alter, or vary all or any of the Provisions of this Act, and to substitute others in lieu thereof: Provided, that it shall not be lawful to present to the Governor of said Colony for Her Majesty's Assent any Bill by which an Alteration in the Constitution of the said Legislative Council, or Legislative Assembly, or in the said Schedule hereunto annexed marked D., may be made, unless the Second and Third Readings of such Bill shall have been passed with the Concurrence of an absolute Majority of the whole Number of the Members of the Legislative Council and of the Legislative Assembly respectively: Provided also, that every Bill which shall be so passed shall be reserved for the Signification of Her Majesty's Pleasure thereon.

Power to alter Electoral Act.

LXI. Notwithstanding anything herein contained, it shall be lawful for the said Legislature from Time to Time, by any Act or Acts, to alter the Qualifications of Electors and Members of the Legislative Council and Legislative Assembly respectively, and to establish new Electoral Provinces or Districts, and from Time to Time to vary or alter any Electoral Province or District, and to appoint, alter, or increase the Number of Members of the Legislative

Legislative Houses to be chosen by any Electoral Province or District, and to increase the whole Number of Members of the said Legislative Houses, and to alter and regulate the Appointment of Returning Officers, and to make Provision in such Manner as they may deem expedient for the Issue and Return of Writs for the Election of Members to serve in the said Legislative Houses respectively, and the Time, Place, and Manner of holding such Elections respectively.

Interpretation Clause.

LXII. In the Construction of the Provisions of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of the Colony of Victoria; the Word "Victoria" shall mean the Colony of Victoria; the Words "officiating Minister" shall be taken to mean any Minister of Religion authorized according to the Forms and Usages of any Church, Religious Society or Denomination, to officiate and officiating in any Building registered according to the Law now in force in the said Colony as a Place of Public Worship; the Word "occupy" shall include the Occupation of or Mining in any Lands, or the Right, Power, or Authority to enter on any Lands for the Purpose of mining therein; the Word "Council" shall mean the Legislative Council of the said Colony of Victoria; and the Word "Assembly" shall mean the Legislative Assembly of the said Colony.

This Act not to be in force until the Repeal of the Acts herein mentioned.

LXIII. The foregoing Provisions of this Act shall have no Force or Effect until so much and such Parts of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled "An Act to provide "for the Administration of Justice in New South Wales and Van Diemen's "Land, and for the more effectual Government thereof, and for other Pur-"poses relating thereto;" and of another Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act for regulating "the Sale of Waste Land belonging to the Crown in the Australian Colo-"nies;" and of another Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act for the Government of New South "Wales and Van Diemen's Land;" and of another Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act to "clear up Doubts as to the Regulation and Audit of the Accounts of the "Customs in New South Wales;" and of another Act passed in the same Years, intituled "An Act to explain and amend the Act for the Government "of New South Wales and Van Diemen's Land;" and of another Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled "An Act to amend an Act for regulating the Sale of Waste Land belonging "to the Crown in the Australian Colonies, and to make further Provision for "the Management thereof;" and of another Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for "the better Government of Her Majesty's Australian Colonies," and the First, Second, and Third Parts of the Schedule B. therein referred to, as severally relate to the Colony of Victoria, and are repugnant to this Act, shall have been repealed, and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the said last-mentioned Act as

9 Geo. 4. c. 83.

5 & 6 Vict. c. 36.

5 & 6 Vict. c. 76.

7 & 8 Vict. c. 72.

7 & 8 Vict. c. 74.

9 & 10 Vict. c. 104.

13 & 14 Vict. c. 59.

relates to the Constitution, Appointment, and Powers of the Legislative Council of the said Colony of Victoria shall continue in force until the First Writs shall have issued for the Election of Members to serve in the Legislative Council and House of Assembly, in pursuance to the Provisions hereof, but no longer: Provided, that nothing herein contained shall prevent or be construed to prevent the Fulfilment of any Contract, Promise, or Engagement made by or on behalf of Her Majesty, with respect to any Lands situate within the said Colony, in any Cases where such Contract, Promise, or Engagement shall have been lawfully made before the Time at which this Act shall take effect within the said Colony.

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

I, do declare and testify, that I am duly seised at Law or in Equity of an Estate of Freehold for my own Use and Benefit, in Lands or Tenements, in the Colony of Victoria, of the Value of Pounds Sterling Money, above all Charges and Incumbrances affecting the same; and further, that the Lands or Tenements out of which such Qualification arises are situate in the Parish of in the County of or reputed County of the Description of which Lands and Tenements are as follow:

And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands or Tenements, or any Part thereof, for the Purpose of enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

SCHEDULE B.

I, A. B., do declare and testify, that I am duly seised at Law or in Equity of an Estate of Freehold for my own Use and Benefit, in Lands or Tenements in the Colony of Victoria, of the Value of Pounds Sterling Money, above all Charges and Incumbrances affecting the same; and further, that the Lands or Tenements out of which such Qualification arises are situate in the Parish of , in the County or reputed County of , the Descriptions of which Lands and Tenements are as follow:

And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any Part thereof, for the Purpose of qualifying or enabling me to be returned a Member of the Legislative Assembly of the Colony of Victoria.

SCHEDULE C.

I do sincerely promise and swear, that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Colony of Victoria. So help me GOD.

SCHE-

SCHEDULE D.

PART 1.

	£
Governor's Salary	10,000
Salaries of Staff, Repairs to Government House, travelling and other Expenses	5,000
	£15,000

PART 2.

Chief Justice	3,000
Three Puisne Judges, at 2,500*l.* each	7,500
Master in Equity	1,500
	£12,000

PART 3.

Colonial Secretary or Chief Secretary	2,500
Attorney General, Treasurer, Commissioner of Public Works, Collector of Customs, or Commissioner of Trade and Customs, Surveyor General, or Commissioner of Crown Lands and Survey, 2,000*l.* each	10,000
Solicitor General	1,500
	£14,000

PART 4.

Clerk and Expenses of the Executive Council	1,500
Clerk and Expenses of the Legislative Council	5,000
Auditor General	2,000
	£8,500

PART 5.

Pensions to Officers appointed during good Behaviour	£4,000

PART 6.

Compensation to the present Incumbents who may retire or be released on political Grounds from any of the following Offices, or whose Offices may be abolished: The Colonial Secretary, The Attorney General, The Colonial Treasurer, The Collector of Customs, The Solicitor General, The Surveyor General,	£5,250

PART 7.

Pensions to Persons who may accept responsible Offices, and retire or be released therefrom on political Grounds	£4,000

PART 8.

Public Worship	£50,000
Total	£112,750

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SCHEDULE E

BOUNDARIES OF THE ELECTORAL PROVINCES OF THE LEGISLATIVE COUNCIL

1. Central Province.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province

Commencing at a Point on the Coast of Port Phillip Bay, which is the South-eastern Corner of Portion A in Section No. 3, Parish of Cut-paw-paw, bounded on the West by the Section Line bearing due North as far as the North-eastern Corner of Section of No 16, thence by a Road also bearing North to the North-west Corner of Portion 4 in Section No. 21; on the North by a Road running East from last-mentioned Point to the Saltwater River; thence by a Continuation of said Road to the South-west Corner of Portion 9 in Section No. 5, in the Parish of Doutta Galla; thence by the sectional Line bearing due East, crossing the Moonee Ponds, the Main Road to Sydney, and the Merri Creek, which sectional Line forms the Southern Boundaries of Portions 91, 90, and 89, in the Parish of Jika Jika, as far as the South-east Corner of Portion 89 aforesaid; on the East by the sectional Line bearing South from the said Point in Portion 89 to the South-western Corner of Portion 113, where it strikes the River Yarra Yarra; again on the North by the said River Yarra Yarra to the North-western Corner of Portion 59, in the Parish of Boroondara; thence on the East by the Western Boundary of the said Portion 59 till it strikes the Road running due South to the Yarra Yarra River; thence by the said Road to the Yarra Yarra River; by the Course of the said River to the North-eastern Corner of Portion No. 18 in the Parish of Prahran; thence again on the East by a Road bearing due South from the last-mentioned Point to the South-eastern Corner of Portion No. 32, East of Elsternwick; on the South by a Road bearing West from the last-mentioned Point till it strikes the Sea Coast, thence by the Line of Sea Coast crossing the Mouth of the said Yarra Yarra River to the Point of Commencement - - Five.

2. South Province.

Including Part of County Bourke and the Counties Evelyn and Mornington.

Part of Bourke:—Bounded on the South-west and West by the Werribee River to its Source in the great dividing Range; on the North by the great dividing Range from the Source of the Werribee River to that of the Plenty River; on the East by the Plenty River from its Source to its Confluence with the Yarra Yarra, thence by the Yarra Yarra River upwards to the Confluence of the Deep Creek, thence by the Deep Creek upwards to the Point where the Main Stream commences to run in a North-easterly Direction, thence by a Line South Two Miles Fifty-eight Chains from the aforesaid Bend to Dandenong Creek,

thence

thence by that Creek downward to the Carrum Swamp; on the South by the Carrum Swamp and Mordialloc Creek to its Embouchure at the Long Beach below Ben Ben Gin, and on the Remainder of the South by the Shores of Port Phillip Bay to the Mouth of the Werribee River aforesaid, excluding the Country comprised within the Boundaries of the Central Province.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

EVELYN:—Bounded on the West by Part of the Eastern Boundary of the County of Bourke, namely, first by the River Plenty from its Source to the River Yarra Yarra, thence by the River Yarra upwards to the Confluence of the Deep Creek, thence by that Creek upwards to the Range between the Yarra Yarra and the Dandenong Creek; on the South-east and North by the Range forming the Basin of the River Yarra Yarra.

MORNINGTON:—Bounded on the North by Part of the Southern Boundary of the County of Evelyn, being the dividing Range from the Source of the Buneep Buneep River to the Head of the Deep Creek, thence by that Creek to the Point where the main Stream commences to run in a North-west Direction; on the West by a Line South Two Miles Fifty-eight Chains from the aforesaid Bend to Dandenong Creek, thence by that Creek downwards to the Carrum Swamp, by that Swamp and the Mordialloc Creek to its Embouchure at the Long Beach below Ben Ben Gin, thence by the Shores of Port Phillip Bay to Point Nepean; on the South-west and South, by the Sea Coast from Point Nepean to Cape Patterson; and on the East by a Line North from Cape Patterson to the Warringrin Range, thence along the said Range in a northerly Direction to the North of the Buneep Buneep River, and by that River to its Source in the dividing Range, including French and Phillip Island and the small Islands in Western Port Bay - - - - - Five.

3. SOUTH-WESTERN PROVINCE.

Including the Counties of Grant, Grenville, and Polwarth.

GRANT:—Bounded on the East by the Western Boundary of the County of Bourke, being the Werribee River from its Mouth to its Source in the great dividing Range; on the North by the great dividing Range, extending from the Source of the Werribee River to that of the Yarrowee River; on the West and South-west by the Yarrowee River to its Confluence with the Barwon River, thence by the Barwon River upwards to a Creek in H. Hopkins' purchased Land, by this Creek upwards and a Line bearing South-east across the dividing Range to the Head of the Salt Creek, Two Miles Forty-eight Chains, thence by the Salt Creek to the Sea Coast North of Point Roadknight; on the South by the Sea Coast, and on the Remainder of the East by the Waters of Port Phillip to the Mouth of the Werribee River, including the small Islands near the Channels at the Mouth of Port Phillip and those of Geelong Bay.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

GRENVILLE:—Bounded on the West by the Eastern Boundary of the County of Hampden, namely, a Line southerly from Emu Creek to Gnarkeet Ponds, thence by the Gnarkeet Ponds to Lake Korangamite, thence by the Western Shore of that Lake to a Point East of Lake Pormbeet; on the South by Part of the Northern Boundary of the County of Heytesbury and the Northern Boundary of the County of Polwarth, namely, the Southern Shore of Lake Korangamite, thence an East Line from Lake Korangamite to the North End of Lake Colac, thence by the North Shore of Lake Colac to the Point due West from the Source of Birregurra Creek, and from that Point by a Line East to the Source of Birregurra Creek, thence by that Creek downwards to its Confluence with the Barwon; on the East by the River Barwon to its Confluence with the Yarrowee River, thence by the Yarrowee River up to its Source in the great dividing Range; and on the North by Part of the great dividing Range to the Source of Burrambeet Creek, thence by that Creek and the Southern Shores of Lake Burrambeet to the Point where Bailie's Creek leaves the Lake, by Bailie's Creek to its Confluence with Emu Creek, thence by Emu Creek down to the Point North of the Source of Gnarkeet Ponds aforesaid.

POLWARTH:—Bounded on the West by the Eastern Boundary of the County of Heytesbury, namely, the Gellibrand River upwards to its Source, thence by the Range to the Head of the Pirron Yalloak Creek, by this Creek to Lake Korangamite; on the North by the South-eastern Shore of Lake Korangamite, and an East Line from Lake Korangamite to the North End of Lake Colac; thence by the North Shore of Lake Colac to the Point due West from the Source of the Birregurra Creek, from that Point by a Line East to the Source of the Birregurra Creek; thence by the Birregurra Creek to its Confluence with the River Barwon, thence following the Source of the River Barwon to a Creek in H. Hopkins's purchased Land; on the North-east by this Creek upwards, and a Line across the dividing Range to the Head of the Salt Creek, bearing South-east Two Miles Forty Chains, thence by the Salt Creek to the Sea Coast North of Point Roadknight; and on the South-east and South by the Sea Coast to the Mouth of the Gellibrand River - - - - - - - Five.

4. WESTERN PROVINCE.

Including the Counties of Ripon, Hampden, Heytesbury, Villiers, Normanby, Dundas, and Follet.

RIPON:—Bounded on the West by the Grampian Range (which divides the Waters of the Wimmera and Glenelg Rivers from those of the River Hopkins) to the rocky Extremity near Mount Abrupt; on the South by a Line easterly to the Source of the First Creek which joins the River Hopkins above Wiselaskie's

Station

Station on the Western Side, and by that Creek to the River Hopkins, thence by a Line East to Lake Boloke, thence by the Southern Shores of Lake Boloke to the Mouth of the Prackmingerrin Creek, and by that Creek upwards to a Point where a great Bend of the Creek turns Northward, thence by a Line to a Point in Emu Creek about One Mile below, and to the West of the Confluence of Broken Creek; on the South-east and East by Emu Creek to the Confluence with Bailie's Creek, by Bailie's Creek to Lake Burrumbeet, the Southern Shores of Lake Burrumbeet and Burrumbeet Creek to its Source in the great dividing Range; and on the North by the great dividing Range to the Western Boundary aforesaid.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

HAMPDEN:—Bounded on the West by the River Hopkins upwards, from the Confluence of the Emu Creek to the Point opposite the Mouth of the small Creek above Wiselaskie's Station, dividing it from the County of Villiers; on the North by the Southern Boundary of the County of Ripon, being a Line East from the Confluence of the Creek near Wiselaskie's Station already mentioned to Lake Boloke, then by the Southern Shore of Lake Boloke to the Mouth of the Prackmingerrin Creek, then by that Creek upwards until it reaches a Spot where it forms a great Bend to the Northward, from that Point by a Line in a south-easterly Direction to Emu Creek about One Mile below, and Westward of, the Mouth of Broken Creek, thence by Emu Creek to the Point North of the Source of Gnarkeet Ponds; then on the East by the West Boundary of the County of Grenville, viz.:—First, by a Line southerly to the Source of Gnarkeet Ponds, then by Gnarkeet Ponds to Lake Korangamite, and thence by the West Shore of Lake Korangamite to a Point East of Lake Pormbeet; and on the South by a direct Line to the North End of Lake Pormbeet, and from the North End of Lake Pormbeet to the nearest Part of Emu Creek, and thence by Emu Creek to its Confluence with the River Hopkins.

HEYTESBURY:—Bounded on the North-west and North by Part of the Eastern Boundary of the County of Villiers and the Southern Boundary of the County of Hampden, being the Hopkins River from its Estuary to the Confluence of the Emu Creek, and a Line easterly to the North End of Lake Burrumbeet, thence by a Line East to Lake Korangamite, by the Southern Shore of that Lake to the Mouth of the Pirron Yalloak Creek; on the East and South-east by the Pirron Yalloak Creek to its Source, thence by a Range to the Head of the Gellibrand River, by the Gellibrand River to the Sea Coast; and on the South-west and West by the Sea Coast to the Estuary of the Hopkins River.

VILLIERS:—Bounded on the West by a Line due South from the Grange Burn to the Mouth of the Swamp Creek, thence by this Creek upwards to its Source by a Line to the Head of the Western Branch of the River Shaw, thence by the West Branch of the River Shaw to the Sea; on the South by the

Sea

Sea to the Entrance of the River Hopkins; on the East by the said River Hopkins to the Confluence of the Creek above Wiselaskie's Station, and by that Creek to its Source; on the North by a Line Westward from the Source of the last-named Creek to the rocky Extremity of the Grampians near Mount Abrupt, thence by the principal Range of the Grampians to Mount Sturgeon, and by a Line south-westerly to the North-east Corner of the County of Normanby at the Grange Burn, including all the Islands at Port Fairy.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

NORMANBY:—Bounded on the North by the Grange Burn and Wannon River, until the latter joins the Glenelg River; on the West by the Glenelg River until it reaches the Sea; on the South by the Seashore to the Mouth of the Shaw River; and on the East by the Western Branch of the Shaw River to its Source, thence a Line northerly to the Source of the Swamp Creek, by that Creek to where it empties itself into the Mount Napier Swamp, and thence by a Line due North Six Miles Fifteen Chains to the Grange Burn, including the Lawrence and Lady Julia Percy's Islands.

DUNDAS:—Bounded on the West and North by the Glenelg River upwards from the Confluence of the Wannon to its Source between the Victoria Range and Grampians, near Mount William; on the East by the Grampians to its rocky Extremity near Mount Abrupt, thence to Mount Sturgeon and by a Line crossing the Wannon River to the North-east Corner of the County of Normanby at the Grange Burn; and on the South by the Grange Burn and the Wannon River to its Confluence with the Glenelg.

FOLLET:—Bounded on the West by the One hundred and forty-first Meridian, being the Line dividing the Colony of Victoria from South Australia; on the South and East by the Glenelg River upwards to its Confluence with Power's Creek; and on the North-east and North by Power's Creek to its Source, thence a Line Westward to the Head of Mosquito Creek, and by that Creek to the Boundary Line - - - - Five.

5. NORTH-WESTERN PROVINCE.

Including the Counties of Talbot and Dalhousie, and the Pastoral District of the Wimmera and of the Loddon, except the proposed County of Rodney.

TALBOT:—Bounded on the North-west and North by the South-western Branch of the Loddon River from its Source near Mount Cole to its Confluence with the main Stream; thence by the Loddon River upwards to the Confluence of Mount Alexander Creek, by this Creek to its Source under Mount Alexander, thence by Mount Alexander Range to the Head of Myrtle Creek, and by this Creek to its Confluence with the Coliban River; on the East by the Coliban River upwards to its Source, being Part of the Western Boundary of the County

of

of Dalhousie; and on the South by the great dividing Range to the Source of the South-western Branch of the Loddon River near Mount Cole.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province

DALHOUSIE:—Bounded on the West by the River Coliban from its Source in the great dividing Range to its Confluence with the Campaspe River, and by the Campaspe River down to the Confluence of Mount Ida Creek; on the North by Mount Ida Creek to its Source near Mount Ida, by the dividing Range to the Source of Sandy Creek, and by the Sandy Creek to Goulbourn River; on the East by the Goulburn River upwards until it joins the Dabyminga Creek, and by that Creek to its Source in the dividing Range; and on the South by the great dividing Range.

WIMMERA:—Bounded on the East by a Line from Mount Cole to the Source of the Avoca River, thence by the Avoca River to Lake Bael Bael, thence by a Line due North to the River Murray; on the North by the River Murray to the South Australian Frontier; on the West by the South Australian Frontier South to Mosquito Creek; on the South by Mosquito Creek to its Head, thence by a Line to the Source of Power's Creek, by Power's Creek to its Junction with the Glenelg River, by this River to its Source between the Victoria Range and the Grampians near Mount William, and by the dividing Range easterly to Mount Cole.

LONDON:—Bounded on the South by Part of the Counties of Dalhousie, Talbot, and Ripon, from the Campaspe River to the Source of the Avoca River; on the West by the Avoca River to Lake Bael Bael, and thence by a Line due North to the River Murray; on the North and North-east by the River Murray; and on the East by the Campaspe River to the Point of Commencement - - - - - - - - Five.

6. EASTERN PROVINCE.

Including the County of Anglesey, the proposed County of Rodney, and the Pastoral Districts of the Murray and Gipps' Land.

ANGLESEY:—Bounded on the West by Part of the Eastern Boundary of the County of Dalhousie, namely, from the River Goulburn upwards from the Confluence of Hughes' Creek, to the Confluence of the Dabyminga Creek, thence by the Dabyminga Creek upwards to its Source in the great dividing Range; on the South by the great dividing Range to the main Source of the River Goulbourn, on the East by the Range dividing the Waters of the main Source of the River Goulbourn and Big Rivers from those of the Rubicon and Snod-pon-dock Creek, Northward to Mount Torbrick, thence by Jerusalem Creek to its Confluence with the River Goulbourn, thence by the River Goulbourn downwards to the Confluence with the Devil's River, thence by the Devil's River and its North-west Arm to the dividing Range between the last-named Arm and Septimus Creek; and on the North by

that Range to the Source of Hughes' Creek, thence by Hughes' Creek down to its Confluence with the River Goulbourn.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

RODNEY:—Commencing at the Confluence of the Rivers Campaspe and Coliban, thence by a Line south-easterly to the M'Ivor or Patterson's Creek, above John Hunter Patterson's Sheep Station, thence by a Line north-easterly to the Confluence of Hughes' Creek with the River Goulbourn, and by that River to the Murray, thence by the River Murray to its Confluence with the River Campaspe, and by the River Campaspe upwards to the Confluence of the Rivers Campaspe and Coliban aforesaid.

MURRAY:—Bounded on the South and West by the Counties of Evelyn and Anglesey, and the River Goulbourn to its Junction with the Murray; on the North and North-east by the River Murray, and on the South-east by the dividing Range (Alps).

GIPPS' LAND:—Bounded on the South and East by the Sea; on the North by a Line running in a westerly Direction from Cape Howe to the Source of the nearest Tributary of the Murray and the Australian Alps; again, on the West by the Alps and the Counties of Evelyn and Mornington - - - Five

SCHEDULE F.

LEGISLATIVE ASSEMBLY.

BOUNDARIES OF THE ELECTORAL DISTRICTS.

1. ELECTORAL DISTRICT OF MELBOURNE.

Commencing at a Point in the Yarra Yarra River due South from the South-western Angle of Gisborne Street, thence to Gisborne Street, and by the Western Side of that Street to Victoria Parade, thence by the South Side of Victoria Parade to the Western Side of Nicholson Street, thence by the said Western Side of Nicholson Street Northwards to the Boundary Line of the Corporate Limits of Melbourne, thence by the last-mentioned Boundary Line bearing West to the Moonee Ponds, by the said Moonee Ponds downwards to the Site of Main's Bridge, thence by a Line bearing South to the Yarra Yarra River, and on the South by the Yarra Yarra River to the commencing Point - - - - - - - Five

2. ELECTORAL DISTRICT OF SAINT KILDA.

Bounded on the East by a Road bearing North from the South-east Angle of Portion No. 32, East of Elsternwick, to the Yarra Yarra River; on the North by the Yarra Yarra River to Prince's Bridge; on the West by a Road bearing South-west to the Northern Angle of Section No. 46; thence by Fitz Roy Street, St. Kilda, to the Sea Coast; thence by the Sea Coast and a Road bearing East, South of Elsternwick, to the commencing Point - - - - - - - Two

3. ELECTORAL

3. Electoral District of Collingwood.

Commencing at the Junction of Nicholson Street and Victoria Parade, thence by the Western Side of Nicholson Street to the Northern Boundary of the Corporate Limits of Melbourne, thence on the North by the said Boundary Line bearing East to the Merri Merri Creek, thence by the Merri Merri Creek to its Junction with the Yarra Yarra River, thence by the Yarra Yarra River to the South-east Corner of Section No. 63, Parish of Jika Jika, thence by a Line West to Victoria Street, and thence on the South by the Northern Side of Victoria Street and Victoria Parade to the commencing Point - - Two

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

4. Electoral District of South Melbourne.

Bounded on the North by the Yarra Yarra River, from its Junction with the Saltwater River to Princes' Bridge, on the East by the Road bearing South-east to the Northern Angle of Section No. 46, St. Kilda, thence by Fitz Roy Street to the Sea Coast, thence by the Sea Coast to the Yarra Yarra River, and by the said River to its Junction with the Saltwater River, being the commencing Point - - - - One

5. Electoral District of Richmond.

Commencing at a Point on the Yarra Yarra River due South from the South-eastern Angle of Gisborne Street; bounded on the West by a Line due North to the said Angle; thence by the East Side of Gisborne Street to Victoria Parade; thence by the Southern Sides of Victoria Parade and Victoria Street, and a Prolongation of that Line to the Yarra Yarra River; on the East and South by the Yarra Yarra River to the commencing Point - Two

6. Electoral District of Williamstown.

Commencing on the Sea Coast at the South-east Angle of Portion A. Section 3, Parish of Cut-paw-paw; bounded on the West by a Line bearing North to the Stoney Creek, thence by the Stoney Creek to the River Yarra Yarra; by the River Yarra Yarra to the Sea; thence by the Sea Coast to the commencing Point - One

7. Electoral District of Brighton.

Commencing on the Sea Coast at the South-west Angle of Section 25, Parish of Moorabbin, thence by a Line East to the South-east Angle of Section 55; on the East by a Line bearing North, being the Parish Boundary from the said Point to the North-east Angle of Section 63; on the North by the Road bearing West to the Sea Coast, and on the West by the Sea Coast to the commencing Point - - - - - One

8. Electoral District of Geelong.

Bounded by a Line drawn from the Point on the Eastern Shores of Corio Bay, near Point Henry, at a Distance of Two Miles

from

from the North-east Angle of the Township of Geelong, as a Centre bearing southerly to a Point bearing East from the said Angle; thence by a Line South, crossing a small Portion of Corio Bay, parallel with and at a Distance of Two Miles from the Eastern Boundary of the said Township to a Point bearing East from the South-east Angle of the said Township of Geelong; thence by a Line drawn westerly, at a Distance of Two Miles from the Southern Boundary of the said Township, crossing the Barwon River and the Wauru Chain of Ponds to a Point Two Miles West of the South-west Angle of the said Township; thence by a Line drawn at a Distance of Two Miles from the North-west Angle of the Township, as a Centre, to the Western Shore of Corio Bay, near Cowie's Creek; and also to include the remaining Portion of the Reserve at Point Henry, and the Reserve at the Junction of the Marrabool with the River Barwon - Four

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

9. Electoral District of Portland.

Commencing at a Point on the Beach bearing East Eight Chains from the North Angle of Allotment No. 31 of Northern Suburbans, and bounded on the North by a Line bearing West 65 Chains; on the West by a Line bearing South 233 Chains 34 Links; on the South by a Line bearing East to the Sea Coast, and by the Sea Coast northerly to the Point of Commencement - - - - - - - - Two

10. Electoral District of Belfast.

Commencing at a Point on the Sea Coast bearing South 7 Degrees 30 Minutes West, 16 Chains 25 Links from the South-west Angle of Section No. 15, Township of Belfast, and bounded on the West by a Line bearing North 62 Chains; on the North by a Line bearing East 45 Chains 25 Links; again on the West by a Line bearing North 3 Chains 75 Links to the River Moyne, by that River to its Mouth, and by the Sea Coast to the Point of Commencement; also that Portion commencing at the South-west Angle of Section A, Parish of Belfast, and bounded on the North-east by a Line bearing North-west 15 Chains to the Moyne Saltwater Lagoon, by that Lagoon and the River Moyne to its Mouth, and by the Sea Coast northerly to the last-mentioned Point of Commencement - - - - - - One

11. Electoral District of Warrnambool.

Commencing at a Point on the River Hopkins, being the South-western Angle of Section 1, Parish of Wangoom, and bounded on the East by a Line bearing North 20 Chains; on the North by a Line bearing West to the Merri River; on the West and South-west by the Merri River to its Mouth; on the South by the Sea Coast of Warrnambool Bay, from the Mouth of the said River to that of the River Hopkins, and thence to the Point of Commencement - - - - - - - One

12. Electoral

Victoria Government.

12. Electoral District of Colac.

Commencing at the South-west Angle of Section 17, in the Parish of Nalangil, bounded on the West by a Line North to the North-west Angle of Section 17, in the Parish of Warrion; on the North by a Line East from the last-mentioned Point to the North-east Angle of Section 9, in the Parish of Irrewarra; on the East by a Line, South from that Point to the South-east Angle of Section 2, in the Parish of Elliminyt; and on the South by a Line West from that Angle to the Point of Commencement - One

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

13. Electoral District of Kilmore.

Commencing at a Point on the Eastern Branch of the Korkarruc Creek, Two Miles 55 Chains South of its Junction with the main Stream, and bounded on the North by a Line East from the said Point to Dry Creek; on the East by the Western Branch of the Dry Creek to its Source, thence by a Line South to the Boundary of the County of Bourke; on the South by the said Boundary to the Source of the Eastern Branch of the aforesaid Korkarruc Creek, and on the West by that Eastern Branch to the commencing Point - - - - - One

14. Electoral District of the Kyneton Boroughs.

Kyneton, Carlsruhe, and Part of Malmesbury:—Commencing at the South-east Angle of Section B 3, East of Carlsruhe, thence North 3 Miles 40 Chains, thence West 4 Miles, thence North 3 Miles, thence West 4 Miles, thence North 2 Miles, thence West 2 Miles 55 Chains to the River Coliban; by that River to the Southern Boundary of the Parish of Lauriston; by that Boundary to the River Campaspe, and thence to the South-western Angle of Section 2; and by the Southern Boundary of the Parish of Carlsruhe to the Point of Commencement.

Woodend:—Commencing at the South-western Angle of Section 1 A, South of Carlsruhe, bounded on the North by the Southern Boundary of the said Section and of Sections B 2, B 3, to the South-eastern Angle of the said Section B 3, East of Carlsruhe; on the East by a Line South of the Northern Boundary of Section 72, Parish of Woodend; thence East to the North-east Angle of the said Section 72; thence on the East by a Road South to the South-eastern Angle of Section 22, Parish of Woodend; thence South 80 Chains, crossing the Five Mile Creek; thence West 80 Chains; thence North to the Five Mile Creek; and on the South-west and West by the Five Mile Creek and River Campaspe to the commencing Point - . - - One

15. Electoral District of the Murray Boroughs.

Woodonga:—Commencing at a Point on the Woodonga Creek, being the North-east Angle of Suburban Section A.; thence on the East by a Line bearing South 15 Chains 50 Links; thence West by a Line 40 Chains; thence South 21 Chains 20 Links;

thence West 117 Chains 30 Links; thence North 60 Chains; thence East 70 Chains to the Woodonga Creek, and by the Left Bank of the said Creek to the commencing Point.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

WANGARATTA:—Commencing at a Point on the Left Bank of the River Ovens, 120 Chains North-west of its Junction with the River King; from that Point South 360 Chains; thence East 440 Chains; thence North 360 Chains, crossing Reedy Creek; and thence West 440 Chains, again crossing Reedy Creek and the River Ovens, to the commencing Point.

BENALLA:—Commencing at a Point on the North-east Tributary of the Broken River, being the South-east Angle of Suburban Allotment 4, Section 8; thence by a Line North to the North-east Angle of Suburban Allotment 5, Section 4; thence West to the North-west Angle of Suburban Allotment 1, Section 1; thence South-west by a Line Fifty Chains to the North-west Angle of Suburban Allotment 1, Section 16; thence South to the South-west Angle of Suburban Allotment 5, Section 12; thence East to the South-east Angle of Suburban Allotment 4, Section 9; thence by the Broken River and its Tributary aforesaid to the commencing Point.

EUROA:—Commencing 5 Chains South of a Point on the Seven Creeks, being the South-east Angle of Suburban Section 6; thence by a Line West 190 Chains; thence North 274 Chains 50 Links to the North-west Angle of Suburban Section A 3; thence by the Northern Boundary of the said Section to the Seven Creeks; thence by the said Seven Creeks to the North-west Angle of Suburban Section B 2; thence East to the North-east Angle of Suburban Section E 1; thence by a Line South until it strikes the Northern Boundary of Suburban Section C 1, where the said Boundary crosses the Seven Creeks; thence East to the North-east Angle of the said Section; thence by the Eastern Boundaries of Suburban Sections C and D and the Seven Creeks to the commencing Point.

AVENAL:—Commencing at a Point on Hughes' Creek, being the South-east Angle of Suburban Portion E 6; thence West 118 Chains; thence North 155 Chains 40 Links, crossing Hughes' Creek; thence East 134 Chains 60 Links; thence South 134 Chains 40 Links; thence West to Hughes' Creek, and by the said Creek to the commencing Point.

SEYMOUR:—Commencing at a Point on Whitehead's Creek, being on the North-eastern Boundary of the Township of Seymour, thence East 200 Chains, thence South 160 Chains, thence East 120 Chains, thence South 200 Chains; thence East 130 Chains to a Point on the River Goulburn, by the Course of the said River to another Point 80 Chains Eastward of the first-mentioned Point on the said River; thence North 344 Chains, crossing Whitehead's Creek; thence West 130 Chains, recrossing Whitehead's Creek to the commencing Point - - - One

16. Electoral District of Alberton.

Commencing at the Mouth of Worrigall Creek on the Ninety Mile Beach:—Bounded on the North by a Line West Seventeen Miles to the Eastern Branch of the River Tarra; thence on the South-west by a Line in a South-westerly Direction to the Mouth of the Little River in Corner Inlet; and on the South and South-east by the Sea Coast (including Snake Island) to the commencing Point - - - - - - - One.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

17. Electoral District of the Castlemaine Boroughs.

Castlemaine:—Commencing at a Point One Chain Fifty Links North from the North-west Angle of Section 39, Township of Castlemaine; bounded by Lines bearing East 38 Chains; South 160 Chains; West 80 Chains; North 160 Chains; and East 42 Chains to the commencing Point.

Elphinstone:—Commencing at the South-western Corner of Portion 3, Section 1, North of Elphinstone; bounded on the West by a Line South 80 Chains; on the South by a Line East 80 Chains; on the East by a Line North 80 Chains to the South-western Angle of Portion 18, Section 1; and on the North by a Line West, crossing the Main Road to Sandhurst to the commencing Point.

Muckleford:—Commencing at the South-eastern Angle of Allotment 50, Section 7; thence North 200 Chains, thence West 200 Chains, thence South 240 Chains, thence East 200 Chains, thence North to the commencing Point.

Harcourt:—Commencing at the South-western Angle of Portion 27, Section 4; bounded on the East by a Line North to the North-western Angle of Portion 27, Section 3; on the North by a Line West to the main Road to Sandhurst; on the West by a Line South crossing Barker's Creek 160 Chains; and on the South by a Line East 80 Chains to the commencing Point - - - - - - - - Two.

18. Electoral District of the Sandhurst Boroughs.

Sandhurst:—Commencing at a Point on the Bendigo Creek 40 Chains South of the Junction of Ash Street and High Street; thence East One Mile and a Half, thence West Two and a Half Miles, crossing the Bendigo Creek, thence South Four Miles, thence East to the Point of Commencement.

Lockwood:—Commencing at the South-western Angle of Suburban Allotment 23, Section 1; bounded on the East by a Line Northward from that Point to the South-eastern Angle of Portion 44, Section 4; on the North by a Line bearing West to the South-western Angle of Allotment No. 1, Section 4; on the West by a Line bearing South to a Point due West from the commencing Point; and on the South by a Line East to the South-west Angle of Suburban Allotment No. 23, Section 1, being the commencing Point aforesaid - - - One.

19. Electoral

Victoria Government.

19. Electoral District of North Grant.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

Bounded on the North by the great dividing Range, extending from the Source of the Yarrowee River to that of the River Werribee; on the East by the River Werribee aforesaid to the Western Boundary of the Village Reserve of Ballan; thence by a Line South-westerly to the Source of Williamson's Creek, and by that Creek and the said River Yarrowee to its Source in the great dividing Range aforesaid - - - - One.

20. Electoral District of North Grenville

Bounded on the North by Part of the great dividing Range, from the Source of the River Yarrowee to the Source of the Burrumbeet Creek, thence by that Creek and the Southern Shores of Burrumbeet Lake to the Point where Bailie's Creek leaves the Lake, by Bailie's Creek to its Confluence with Emu Creek, thence by Emu Creek down to the Point North of the Source of Gnarkeet Ponds; on the West by a Line Southwards from the last-mentioned Point, and by the Gnarkeet Ponds to where they are crossed by the main Road to Geelong; on the South by that Road to the River Yarrowee; and on the East by the River Yarrowee to its Source - - - - One.

21. Electoral District of the Ovens.

Commencing at the Junction of Whorouly Creek with the River Ovens, bounded on the West by a Line bearing North Twenty Miles, thence on the North by a Line bearing East to the Little River, on the East by the Little River to its Source in the dividing Range, thence by the dividing Range and a Line South to a Point on the Ovens River Nine Miles above its Junction with the River Buckland; on the South by a Line from the last-mentioned Point to the Source of the River Buckland, thence by the dividing Range to the Source of the River Buffalo, and again on the South and West by that River and the Ovens to the commencing Point - - - One.

22. Electoral District of Rodney.

Commencing at the Confluence of the Rivers Campaspe and Coliban, thence by a Line South-westerly to the Source of the M'Ivor or Patterson's Creek; thence by a Line North-easterly to the Confluence of Hughes' Creek with the River Goulbourn, and by the Rivers Goulbourn, Murray, and Campaspe to the Confluence of the Rivers Campaspe and Coliban aforesaid - - - One.

23. Electoral District of the Loddon.

Bounded on the West by the River Avoca, from its Source in the great dividing Range to its Entrance to Lake Bael Bael, thence by a Line Northward to the River Murray; on the North by

the

the River Murray; on the East by the River Campaspe to its Junction with the Coliban, and on the South by the Northern Boundary of the Counties of Dalhousie and Talbot to the commencing Point, excepting the Country comprised in the Electoral Districts of the Castlemaine Boroughs and of the Sandhurst Boroughs - - - - - - - - Two.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

24. ELECTORAL DISTRICT OF TALBOT.

Bounded on the North-west and North by the South-western Branch of the River Loddon, from its Source near Mount Cole to its Confluence with the main Stream, thence by the River Loddon upwards to its Confluence with Mount Alexander Creek, by this Creek to its Source under Mount Alexander, thence by the Mount Alexander Range to the Head of Myrtle Creek, and by this Creek to its Confluence with the River Coliban; on the East by the River Coliban to its Source, being Part of the Western Boundary of the County of Dalhousie; on the South by the great dividing Range to the Source of the South-western Branch of the River Loddon, near Mount Cole, excepting the Country included in the Electoral District of the Castlemaine Boroughs - - - - - - - Two.

25. ELECTORAL DISTRICT OF EAST BOURKE.

Bounded on the North by the great dividing Range from the Source of the River Plenty to that of the North-eastern Branch of the Saltwater River, near Big Hill; on the West by the Saltwater River downwards to the South-western Angle of Section 12, Parish of Bulla Bulla, thence by the Southern Boundary of the said Portion and by a Line bearing East to the Source of the Moonee Ponds in Section 10, Parish of Yuroke, thence by the Moonee Ponds southerly to Flemington Bridge, thence by a Line South to the River Yarra Yarra; on the South by the River Yarra Yarra to its Junction with the Plenty, and on the East by the River Plenty to the Point of Commencement, excepting the Country included in the Electoral Districts of Melbourne, Collingwood, and Richmond - - - - Two

26. ELECTORAL DISTRICT OF WEST BOURKE.

Bounded on the North by the great dividing Range from the Source of the River Werribee to that of the North-eastern Branch of the Saltwater River, near Big Hill; on the East by the Saltwater River to the South-western Corner of Portion 12, Parish of Bulla Bulla, thence by the Southern Boundary of the said Section and by a Line East to the Source of the Moonee Ponds, in Section 10, Parish of Yuroke, thence by the Moonee Ponds southerly to Flemington Bridge, thence by a Line South to the River Yarra Yarra; on the South by the River Yarra Yarra and the Shores of Port Phillip Bay to the Mouth of the River Werribee; on the West by the River Werribee to its Source in the great dividing Range, being the commencing Point, excepting the Country included in the Electoral Districts of Williamstown - - - - - - - - Two.

27. ELECTORAL DISTRICT OF SOUTH BOURKE.

Bounded on the North and West by the River Yarra Yarra, from its Mouth to its Confluence with the Deep Creek; on the East by the Deep Creek and a Line South Two Miles Fifty-eight Chains from that Creek to Dandenong Creek, by that Creek to the Northern Margin of the Carrum Swamp and Mordialloc Creek to its Mouth at the Long Beach below Ben-Ben-Gin, thence by the Shores of Port Phillip Bay to the Mouth of the River Yarra Yarra aforesaid, excepting the Country included in the Electoral Districts of St. Kilda, South Melbourne, and Brighton - - Two.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

28. ELECTORAL DISTRICT OF SOUTH GRANT.

Bounded on the East by the River Werribee, from its Mouth in Port Phillip Bay to the Western Boundary of the Reserve of Ballan, thence by a Line South-westerly to the Source of Williamson's Creek, by that Creek to the River Yarrowee; on the West and South-west by the River Yarrowee to its Confluence with the River Barwon, thence by the River Barwon to Hopkins' Creek; by that Creek and a Line South-east across the dividing Range to the Head of the Salt Creek Two Miles and Forty-eight Chains, thence by Salt Creek to the Sea Coast, North of Point Roadknight; on the South by the Sea Coast; and on the Remainder of the East by the Waters of Port Phillip Bay to the Mouth of the River Werribee, including the small Island near the Channels of the Mouth of Port Phillip Bay and Geelong Bay, and excepting the Country included in the Electoral District of Geelong - - - - - - - Three.

29. ELECTORAL DISTRICT OF EVELYN AND MORNINGTON.

EVELYN:—Bounded on the West by Part of the Eastern Boundary of the County of Bourke; that is to say, by the River Plenty from its Source to the River Yarra Yarra, thence by the River Yarra Yarra to the Confluence of the Deep Creek, thence by that Creek to the Range between the River Yarra Yarra and the Dandenong Creek; on the South-east and North by the Range forming the Basin of the River Yarra Yarra.

MORNINGTON:—Bounded on the North by Part of the Southern Boundary of the County of Evelyn, being the dividing Range from the Source of the River Buneep Buneep to the Source of the Deep Creek, thence by that Creek and a Line South Two Miles Fifty-eight Chains from that Creek to Dandenong Creek, thence by that Creek to the Carrum Swamp, by that Swamp and the Mordiallac Creek to its Mouth at the Long Beach below Ben-Ben-Gin, thence by the Shores of Port Phillip Bay to Point Nepean; on the South-west and South by the Sea Coast from Point Nepean to Cape Patterson; on the East by a Line North from Cape Patterson to the Warringrin Range, thence along the said Range in a northerly Direction to the Mouth of the River Buneep Buneep, and by that River to its Source in the dividing Range, including French and Phillip Islands and the small Islands in Western Port Bay - - - - - One.

30. ELECTORAL

30. Electoral District of Anglesey.

Part of Dalhousie:—Commencing at the Junction of the Rivers Camaspe and Coliban, thence by a Line South-easterly to the Source of the M'Ivor or Paterson's Creek, thence by a Line North-east to the Confluence of Hughes's Creek with the River Goulburn; on the East by the River Goulburn until it joins the Dabyminga Creek, by that Creek to its Source in the dividing Range; on the South by the dividing Range to the Source of the River Coliban; and on the West by the last-mentioned River to its Junction with the River Campaspie, being the commencing Point, excepting the Country included in the Electoral Districts of the Kyneton Boroughs and of Kilmore.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District

Anglesey:—Bounded on the West by Part of the Eastern Boundary of the County of Dalhousie, namely, from the River Goulburn from the Confluence of Hughes's Creek to the Confluence of Dabyminga Creek, thence by Dabyminga Creek to its Source in the great dividing Range; on the South by the great dividing Range to the main Source of the River Goulburn; on the East by the Range dividing the Waters of the main Source of the Goulburn and Big Rivers from those of the Rubicon and Snod-pon-dock Creek, Northward, to Mount Torbrick, thence by Jerusalem Creek to its Confluence with the River Goulburn, thence by the River Goulburn to the Confluence of the River Delatite, thence by the River Delatite and its North-west Arm to the dividing Range between the last-named Arm and Septimus Creek; and on the North by that Range to the Source of Hughes's Creek, and thence by Hughes's Creek to its Confluence with the River Goulburn, excepting the Country included in the Borough of Seymour - - - - - - One.

31. Electoral District of Dundas and Follett.

Dundas:—Bounded on the West and North by the River Glenelg from the Confluence of the Wannon to its Source, between the Victoria Range and the Grampians near Mount William; on the East by the Grampians to their Base near Mount Abrupt, thence to Mount Sturgeon and by a Line crossing the Wannon River to the North-east Angle of the County of Normanby at the Grange Burn; and on the South by the Grange Burn and the Wannon to its Confluence with the Glenelg.

Follett:—Bounded on the West by the One hundred and forty-first Meridian, being the Line dividing Victoria from South Australia; on the South and East by the Glenelg River to its Confluence with Power's Creek; and on the North-east and North by Power's Creek to its Source, thence by a Line West to the Head of Mosquito Creek and by that Creek to the Boundary Line - - - - - - - One.

32. Electoral District of Normanby.

Bounded on the North by the Grange Burn and River Wannon until the latter joins the River Glenelg; on the West by the

River

River Glenelg to the Sea; on the South by the Sea Shore to the Mouth of the River Shaw; and on the East by the Western Branch of the River Shaw to its Source; thence by a Line North to the Source of the Swamp Creek; by that Creek to Mount Napier Swamp; and thence by a Line North Six Miles Fifteen Chains to the Grange Burn, including the Laurence's and Lady Julia Percy's Islands, excepting the Country included in the Electoral District of Portland - - - - One.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

33. ELECTORAL DISTRICT OF VILLIERS AND HEYTESBURY.

VILLIERS:—Bounded on the West by a Line South from the Grange Burn to the Mouth of the Swamp Creek; thence by this Creek to its Source by a Line to the Source of the Western Branch of the River Shaw to the Sea; on the South by the Sea Shore to the Mouth of the River Hopkins; on the East by the said River Hopkins to the Confluence of Wyselaskie's Creek, and by that Creek to its Source; on the North by a Line Westward from the Source of the last-named Creek to the Base of the Grampians near Mount Abrupt; thence by the principal Range of the Grampians to Mount Sturgeon, and by a Line South-westerly to the North-east Angle of the County of Normanby, including all the Islands at Port Fairy, and excepting the Country included in the Electoral Districts of Belfast and Warrnambool.

HEYTESBURY:—Bounded on the West by the River Hopkins from its Estuary to the Confluence of the Emu Creek, thence by Emu Creek to the Point nearest Lake Pormbeet, thence by a Line easterly to the North End of Lake Pormbeet, thence by a Line East to Lake Korangamite, and by the Southern Shore of that Lake to the Mouth of the Pirron Yaloak Creek; on the East and South-east by the Pirron Yaloak Creek to its Source, thence by a Range to the Source of the Gellibrand River, by the Gellibrand River to the Sea Coast; and on the South-west and West by the Sea Coast to the Estuary of the River Hopkins - Two.

34. ELECTORAL DISTRICT OF POLWARTH, RIPON, HAMPDEN, AND SOUTH GRENVILLE.

POLWARTH:—Bounded on the West by the River Gellibrand upwards to its Source, thence by the Range to the Source of the Pirron Yaloak Creek, by this Creek to Lake Korangamite; on the North by the South-eastern Shore of Lake Korangamite, and an East Line from Lake Korangamite to the North of Lake Colac, thence by the North Shore of Lake Colac to the Point West from the Source of Birregurra Creek, from that Point by a Line East to the Source of the Birregurra Creek, thence by the Birregurra Creek to its Confluence with the River Barwon, thence following the Course of the River Barwon to Hopkins' Creek; on the North-east by this Creek and a Line across the dividing Range to the Source of the Salt Creek South-east Two Miles Forty-eight Chains, thence by the Salt Creek to the Sea

Coast

Coast North of Point Roadknight; and on the South-east and South by the Sea Coast to the Mouth of the River Gellibrand, excepting the Country included in the Electoral District of Colac.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

RIPON:—Bounded on the West by the Grampian Range dividing the Waters of the Rivers Wimmera and Glenelg from those of the River Hopkins, to its Base near Mount Abrupt; on the South by a Line easterly to the Source of Wyselaskie's Creek, and by that Creek to the River Hopkins, thence by a Line East to Lake Boloke, thence by the Southern Shores of Lake Boloke to the Mouth of the Prackmingerrin Creek, and by that Creek to the Point nearest to Emu Creek, thence by a Line East to a Point in Emu Creek One Mile to the West of its Confluence with Broken Creek; on the South-east and East by Emu Creek to its Confluence with Baillie's Creek, by Baillie's Creek to Lake Burrumbeet, by the Southern Shores of Lake Burrumbeet and Burrumbeet Creek to its Source in the great dividing Range; and on the North by the great dividing Range to the Western Boundary aforesaid.

HAMPDEN:—Bounded on the West by the River Hopkins; on the North by the Southern Boundary of the County of Ripon; on the East by a Line southerly to the Source of Gnarkeet Ponds, thence by Gnarkeet Ponds to Lake Korangamite, and thence by the West Shore of Lake Korangamite to a Point East of Lake Pormbeet, and from the North End of Lake Pormbeet to the nearest Part of Emu Creek, and thence by Emu Creek to its Confluence with the River Hopkins.

SOUTH GRENVILLE:—Bounded on the North by the main Road between Portland and Geelong, from its Intersection with the River Yarrowee to the Gnarkeet Ponds; on the West by the Gnarkeet Ponds to Lake Korangamite, thence by the Western Shores of that Lake to a Point East of Pormbeet; on the South by the Southern Shore of Lake Korangamite, thence by a Line East from Lake Korangamite to the North Shore of Lake Colac, thence by the North Shore of Lake Colac to a Point West from the Birregurra Creek, and from that Point by a Line East to the Source of the Birregurra Creek, and by that Creek to its Confluence with the Barwon; and on the East by the Rivers Barwon and Yarrowee to the commencing Point - - Two.

35. ELECTORAL DISTRICT OF MURRAY.

Bounded on the South and West by the Counties of Evelyn and Anglesea and the River Goulburn to its Junction with the River Murray; on the North and North-east by the River Murray; and on the East by the great dividing Range, excepting the Country comprised in the Electoral Districts of the Murray Boroughs and of Beechworth - - - - Two.

36. ELECTORAL DISTRICT OF GIPPS' LAND.

	Number of Members of the Legislative Assembly assigned to and returned for each Electoral District
Bounded on the South and East by the Sea; on the North by a Line bearing West from Cape Howe to the Source of the nearest Tributary of the Murray, and by the Alps; and on the West by the Alps and the Counties of Evelyn and Mornington, excepting the Country comprised in the Electoral District of Alberton -	One.

37. ELECTORAL DISTRICT OF THE WIMMERA.

Bounded on the West by the Boundary Line of Victoria and South Australia; on the North by the River Murray; on the East by a Line to Lake Bael Bael, thence by the River Avoca to its Source; and on the South by the Boundaries of the Counties of Follett, Dundas, and Ripon - - - - -	Two

SCHEDULE (2.)

59 G. 3. c. 4. -	An Act to stay Proceedings against any Governor or other Persons concerned in imposing and levying Duties in New South Wales; to continue until the 1st Day of January 1821 certain Duties, and to empower the said Governor to levy a Duty on Spirits made in the said Colony.
3 G. 4. c. 96. - -	An Act to continue until the 1st Day of January 1824 an Act passed in the Fifty-ninth Year of His late Majesty relating to imposing and levying Duties in New South Wales; to authorize the imposing and levying other Duties on Goods imported into the said Colony, and to suspend for Ten Years the Payment of Duty on the Importation of certain Goods the Produce of New South Wales.
9 G. 4. c. 83. - -	An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto.
5 & 6 Vict. c. 36. -	An Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies.
5 & 6 Vict. c. 76. -	An Act for the Government of New South Wales and Van Diemen's Land.
7 & 8 Vict. c. 72. -	An Act to clear up Doubts as to the Regulation and Audit of the Accounts of the Customs in New South Wales.
7 & 8 Vict. c. 74. -	An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land.

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9 & 10 Vict c 104. -	An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies, and to make further Provision for the Management thereof.
13 & 14 Vict. c. 59.	An Act for the better Government of Her Majesty's Australian Colonies.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. LVI.

An Act to repeal the Acts of Parliament now in force respecting the Disposal of the Waste Lands of the Crown in Her Majesty's *Australian* Colonies, and to make other Provision in lieu thereof.

[16th *July* 1855.]

WHEREAS it is expedient that the Acts for regulating the Sale and other Disposal of the Waste Lands belonging to the Crown in the *Australian* Colonies should be repealed, and that other Provision should be made with respect to the Subject Matter of the said Acts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Act of the Sixth Year of Her Majesty, Chapter Thirty-six, intituled *An Act for regulating the Sale of Waste Land belonging to the Crown in the* Australian *Colonies*, and the Act of the Tenth Year of Her Majesty, Chapter One hundred and four, intituled *An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the* Australian *Colonies, and to make further Provision for the Management thereof*, are hereby repealed. 5 & 6 Vict. c. 36. and 9 & 10 Vict. c. 104. repealed.

 II. The

Periods at which this Act is to take effect in the Australian Colonies respectively.

II. The Repeal of the said Acts, and the other Provisions of this Act, shall take effect in the Colonies of *New South Wales* and *Victoria* at the Date of the Proclamation in those Colonies respectively of certain Acts passed in this Session of Parliament, intituled *An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of* New South Wales, "*to confer a Constitution on* New South Wales, *and to grant a Civil List to Her Majesty*," and *An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of* Victoria, *to establish a Constitution in and for the Colony of* Victoria, and in *Van Diemen's Land* from the Date of the Proclamation of this Act by the Governor, which Proclamation shall take place within One Month after a Copy thereof shall be received by such Governor, and in *South Australia* from the Date of the Proclamation in that Colony of the Assent of Her Majesty to any Bill which may be passed by the Legislature of the said Colony, under the Provisions of an Act passed in the Fourteenth Year of Her Majesty, and intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*, establishing a Legislative Council and Assembly within the said Colony, in lieu of the present Legislative Council.

13 & 14 Vict. c. 59.

Powers of the repealed Acts continued for certain Purposes in this Country.

III. The Powers vested by the said Acts hereby repealed in Her Majesty, the Commissioners of Her Majesty's Treasury, and the Colonial Land and Emigration Commissioners respectively, shall continue so far as regards the Appropriation and Application of Monies which may be received from the said Colonies respectively under and by virtue of the Provisions of the said Acts or either of them.

Power to amend or repeal Orders in Council.

IV. It shall be lawful for the Legislature of any Colony in which the Repeal of the said Act of the Tenth Year of Her Majesty shall have taken effect to repeal, alter, or amend any Order in Council made under Authority of the said Act, and affecting such Colony; but subject, nevertheless, so far as respects the Colonies of *New South Wales* and *Victoria* respectively, to the Provisions in the said Acts of this Session for the Preservation and enabling the Fulfilment of Contracts, Promises, and Engagements made by or on behalf of Her Majesty with respect to Lands situate in such respective Colonies, and, until so repealed, and subject to any such Alteration or Amendment, every such Order in Council shall have the same Force and Effect as if this Act had not been passed.

Power to the Legislature of Van Diemen's Land, and of South

V. It shall be lawful for the Legislature of *Van Diemen's Land* and for the Legislature of *South Australia* after such Change in the Constitution thereof as aforesaid, by any Act or Acts to be passed from Time to Time in the same Manner and under the same Conditions

as

as are or may be by Law required in respect of other Acts of the said Legislatures respectively, to regulate the Sale and other Disposal of the Waste Lands of the Crown in the said Two last-mentioned Colonies respectively, and the Disposal of the Proceeds arising therefrom for the Public Service of the said Colonies, any Provisions of an Act of Parliament of the Sixth Year of Her said Majesty, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, or of an Act of the Fourteenth Year of Her said Majesty, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*, or of any other Act of Parliament, to the contrary notwithstanding: Provided always, that it shall be lawful for Her Majesty at any Time by Order in Council to separate *Norfolk Island* from the Colony of *Van Diemen's Land*, and to make such Provision for the Government of *Norfolk Island* as may seem expedient: Provided also, that nothing herein contained, nor any Act to be passed as aforesaid by either of the said Legislatures, shall affect or be construed to affect any Contract, or extend to prevent the Fulfilment of any Promise or Engagement made by or on behalf of Her Majesty with respect to any Lands situate in either of the said Colonies of *Van Diemen's Land* and *South Australia*, where such Contract, Promise, or Engagement shall have been lawfully made before the Time when this Act shall take effect in such respective Colony.

Australia when its Constitution is altered, to dispose of Waste Land, notwithstanding Provisions of 5 & 6 Vict. c. 76. and 13 & 14 Vict. c. 59.

Power for Her Majesty by Order in Council, to separate Norfolk Island from Van Diemen's Land.

VI. All Regulations respecting the Sale or other Disposal of the Waste Lands of the Crown, made under the Authority of the said recited Acts or either of them, which shall be legally in force in *New South Wales*, *Victoria*, *Van Diemen's Land*, or *South Australia*, at the Date when the present Act shall take effect in the said Colonies respectively, shall remain in force in each of the said Colonies respectively until the Legislature of such Colony shall otherwise provide.

Existing Regulations maintained in force until altered.

VII. It shall be lawful for Her Majesty, by Instructions under Her Signet and Sign Manual, or through One of Her Principal Secretaries of State, to regulate the Sale, Letting, Disposal, and Occupation of Waste Lands of the Crown in *Western Australia*, and the Disposal of the Proceeds arising therefrom, until Parliament shall otherwise provide.

Power to regulate the Disposal of Waste Land in Western Australia.

VIII. No Appropriation which has been or shall be made of the Proceeds of the Sale or Disposal of the Waste Lands of the Crown in either of the said Colonies shall be deemed invalid by reason of its not having been made in accordance with the Provisions of the said Acts of Parliament hereby repealed.

Past Appropriations to be valid.

IX. In

As to the Term "Governor."

IX. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of any Colony.

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Where the Poor Rate in the County and Borough is not assessed upon a uniform Principle, the Proportions of Contribution may be adjusted without regard to the Poor Rate Valuation.

II. Where it appears to the Justices and Members of Council appointed under the Militia Law Amendment Act, 1854, or under such Act as amended by this Act, for the Purpose of determining and awarding the respective Proportions in which any County and Borough shall contribute to the Expenditure in the said Act mentioned, or to any Arbitrator duly appointed for the like Purpose, that the respective annual Values of the Property rateable to the Relief of the Poor as rated thereto in the County and Borough are not ascertained upon a uniform Principle of Valuation, so as to constitute a fair Basis upon which to calculate the Proportions in which the County and Borough should contribute as aforesaid, such Justices and Members of Council or Arbitrator (as the Case may be) may determine and award such respective Proportions according to what may appear to them or him to be the actual annual Values at which the Property rateable in the County and Borough respectively to the Relief of the Poor ought to be rated thereto, but without regard to the respective Values at which such Property is in fact so rated; and in determining such Proportions as aforesaid the Value of the Property in Extra-parochial Places as well in Boroughs as in Counties, as such Property if rateable to the Relief of the Poor would be rated thereto, shall be taken into account as if the same had been actually rateable to such Relief.

Boroughs situate in more than One County to contribute to each in proportion to the rateable Value of the Part within the same.

III. When any Borough is situate in more than One County, such Borough shall be liable to contribute to the Expenditure aforesaid in each such County, and the Proportions which such Borough shall contribute to such Expenditure in each such County shall be determined and awarded by Justices appointed for the County and Members of Council appointed for the Borough, or by an Arbitrator, in like Manner as in the Case of a Borough wholly within the County, but the Proportion to be contributed by the Borough shall be determined and awarded with reference to the Value of the Property rated to the Relief of the Poor within that Part only of the Borough which is situate in the County by which the Expenditure is incurred, and the Contributions so awarded shall be raised and paid in like Manner as if the whole Borough were within the County; but in case a Borough Rate be made for raising any such Contribution, or repaying any Money borrowed for the Purpose of such Contribution, or paying any Interest on any such Money or any Expenses incident to borrowing the same, such Rate shall be raised in that Part only of the Borough which is in the County to which the Contribution is required to be made: Provided always, that this Enactment shall not apply to the City or County of the City of *Bristol*, but the said City and County shall contribute to the Expenditure aforesaid in the County of *Gloucester*, as if wholly situate in such County: Provided also, that this Enactment shall not affect

affect the Provision in Section Twenty-five of the Militia Law Amendment Act, 1854, concerning the City of *Lincoln* and Borough of *Stamford.*

Foregoing Provisions to extend to Franchises.

IV. The foregoing Provisions concerning Boroughs shall apply to all Franchises, Liberties, and Places not being by Law liable to the Payment of County Rates made for the County at large, and the Expressions "Borough," "Council," "Members of Council," and "Borough Rate," shall respectively be construed as including any such Franchise, Liberty, or Place, the Justices, Mayor, or Municipal Officer authorized under Section Twenty-nine of the Militia Law Amendment Act, 1854, to appoint Two Justices or Persons to act on behalf of such Franchise, Liberty, or Place, the Justices or Persons so appointed, and the Liberty Rate or other local Rate in the Nature of a County Rate leviable in such Franchise, Liberty, or Place.

In the County of Lincoln Storehouses to be provided by the Gaol Sessions.

V. And whereas by reason of there being no General Quarter Sessions of the Peace held for the County of *Lincoln* at large it is expedient that further Provision be made for executing the Militia Law Amendment Act, 1854, within the said County: In the County of *Lincoln* all things directed by the Second and Third Sections of the Militia Law Amendment Act, 1854, to be done by Justices in General or Quarter Sessions assembled shall be done by Justices for the several Parts of *Lindsey*, *Kesteven*, and *Holland* in the said County of *Lincoln*, or any of them, assembled in Court of Gaol Sessions held in and for the said County; and all other things directed by the said Act to be done by the Justices of Counties in Quarter Sessions assembled shall and may be done by the Justices of the said several Parts of *Lindsey*, *Kesteven*, and *Holland* in the said County of *Lincoln* in their respective Quarter Sessions assembled; and the said Court of Gaol Sessions shall take into consideration any Representations already made to the Quarter Sessions for the said several Divisions of the Insecurity or Insufficiency of any Storehouse in use for the Service of any Militia of the said County, and also any Representation made to such Court under the said Militia Law Amendment Act as amended by this Act, and do all necessary Acts for providing the requisite Premises for the Service of the Militia of the said County; and the Expenses to be incurred by such Court under this Act shall be raised and paid in such and the like Manner as other Monies required for the general Purposes of the said Court of Gaol Sessions; and any Money arising from the Sale and Disposition, under the Order of the said Court of Gaol Sessions, of any Place which may have been provided for keeping the Stores of the Militia of the said County, shall be paid to the Treasurer of the said Court, and be applied for defraying the Expenses of the Execution by the said Court of the said Militia Law Amendment Act,

Act, and this Act; and the Surplus, if any, of such Monies shall be applied in aid of the County Rates raised in such several Divisions, in the Proportions in which they are required to contribute to the Expenditure herein-before mentioned: Provided always, that no Order or Resolution shall be made or entered into by the said Court of Gaol Sessions, under the Authority of the said Militia Law Amendment Act or this Act, concerning the Purchase of Land as a Site for Militia Storehouses, or the providing, building, enlarging, altering, or disposing of the same, unless Notice thereof shall be given by an Advertisement to be inserted in some public Newspaper most generally circulated in the said County of *Lincoln* in each of the Two Weeks immediately preceding the Day appointed for holding such Gaol Sessions, stating the Day, Hour, and Place appointed for holding such Meeting, and the Nature of the Business intended to be then taken into consideration.

As to Expenses of Militia Acts in the County of Sussex.

VI. The Expenses payable or to be paid for the Purposes of the said Militia Amendment Act, 1854, and this Act, shall, in the County of *Sussex*, be borne and paid by the Eastern and Western Divisions thereof, in equal Moieties.

The Word "Borough" to include any City or Town named in Schedules (A.) and (B.) of 5 & 6 W. 4. c. 76. although such should be a County of itself.

VII. In the Construction of the Militia Law Amendment Act, 1854, and of this Act, the Word "Borough" shall mean any City, Borough, Port, or Town Corporate named in either of the Schedules (A.) and (B.) to the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, "to "provide for the Regulation of Municipal Corporations in *England* "and *Wales*," or to which the Powers and Provisions of that Act have been or may be extended, notwithstanding any such City, Borough, or Town may be a County of itself; and the Powers and Provisions of the said Militia Law Amendment Act, 1854, and this Act, applicable to Boroughs locally situate in Counties shall extend to every such City, Borough, or Town being a County of itself which in Section Nineteen of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, is for the Purposes of that Enactment united with or named in connexion with a County or Riding, in like Manner as if locally situate in the County or Riding in connexion with which it is named.

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CAP. LVIII.

An Act to better enable the Chancellor and Council of the Duchy of *Lancaster* to sell and purchase Land on behalf of Her Majesty, Her Heirs and Successors, in right of the said Duchy of *Lancaster*. [16th *July* 1855.]

WHEREAS it is expedient that the Chancellor and Council of the Duchy of *Lancaster* should be better enabled to sell Land belonging to the said Duchy which in the Judgment of the said Chancellor and Council shall be deemed not convenient to be held with other Possessions of the said Duchy, and to purchase Land which in the like Judgment shall be deemed convenient to be held with other Possessions of the said Duchy: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Chancellor and Council of Duchy of Lancaster enabled to sell and convey Land.

I. The Chancellor and Council of the Duchy of *Lancaster* for the Time being may from Time to Time contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, for the Sale of and may absolutely make Sale and dispose of, for such

Sum or Sums of Money as to the said Chancellor and Council shall appear a sufficient Consideration for the same, any Land belonging to Her said Majesty, Her Heirs or Successors, in right of the said Duchy, which in the Judgment of the said Chancellor and Council shall not be deemed convenient to be held with other Possessions of the said Duchy; and upon Payment of the Purchase Monies as hereinafter provided the said Chancellor and Council may grant and assure to the Purchaser or Purchasers, under the Seal of the said Duchy, in the Name of Her Majesty, Her Heirs or Successors, the Land agreed to be sold; and every such Grant or Assurance may be according to the Form marked X. set forth in the Schedule to this Act annexed, or in any other Form which may be deemed more convenient; and every such Grant or Assurance, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof, shall be valid and sufficient to pass all the Right and Interest of Her said Majesty, Her Heirs or Successors, in and to the Land to which such Grant or Assurance shall relate, anything contained in the Act of Parliament passed in the First Year of the Reign of Her Majesty Queen *Anne*, Chapter Seven, or in any other Act, to the contrary in anywise notwithstanding.

Purchase Monies for Land sold to be paid to Receiver General of Duchy, and invested or applied as herein mentioned.

II. The Purchase Monies for Land sold by the said Chancellor and Council, under the Authority of this Act, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, or of his sufficient Deputy or Deputies, and Receipts shall be given by him or them for the same, and the same either shall and may be invested in the Purchase of Bank Annuities, according to the Powers and Provisoes contained or referred to in the Act of Parliament passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, Chapter Seventy-three, with respect to the Purchase Money to be paid for Property belonging to the Crown within the Survey and Receipt of the said Duchy, under the therein-recited Acts, or the same or any Part thereof may, either without any previous Investment or after such, and either alone or together with any other Monies or Funds for the Time being belonging to the said Duchy of *Lancaster*, be laid out, according to the Provisions of the Act of Parliament passed in the Fifty-seventh Year of the Reign of His said Majesty King *George* the Third, Chapter Ninety-seven, or in the Purchase of Land under the Authority of this Act, as hereinafter provided; and the said Chancellor and Council shall for the Purposes of this Act have and be entitled to all such Powers and Provisions in reference to the Monies invested in Bank Annuities under this Act as under or by virtue of the said Act of the Fifty-seventh Year of the Reign of His said Majesty King *George* the Third they are entitled to concerning any Sums or Funds of or belonging

belonging to the said Duchy of *Lancaster* in the same Act particularly mentioned or referred to.

III. The said Chancellor and Council may from Time to Time contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, for the Purchase of and may purchase any Land which in the Judgment of the said Chancellor and Council shall be deemed convenient to be held with any Possession of the said Duchy, and the Land so agreed to be purchased shall be conveyed and assured to the Use of Her Majesty, Her Heirs or Successors, in right of the said Duchy of *Lancaster*, and shall vest in Her said Majesty, Her Heirs and Successors, in the same Right, and as fully and effectually, and be held with the like Incidents, as other Land belonging to the said Duchy; and every such Conveyance may be in the Form marked Y. in the said Schedule, or in any other Form which may be deemed more convenient.

Power to Chancellor to contract and agree for Purchase of Land, and convey the same to the Use of Her Majesty.

IV. The Lands Clauses Consolidation Act, 1845, shall be incorporated with this Act; but the said Chancellor and Council shall not purchase any Land otherwise than by Agreement.

8 & 9 Vict. c. 18. incorporated.

V. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The Duchy of *Lancaster* Lands Act, 1855."

Short Title.

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SCHEDULE to which this Act refers.

X.

These Presents witness, That in consideration of the Sum of paid to *A.B.* the Receiver General of the Revenues of the Duchy of Lancaster, or his sufficient Deputy or Deputies, on behalf of Her Majesty, by *C.D.* as appears by the Receipt of the said Receiver General or his sufficient Deputy or Deputies, endorsed on these Presents, Her said Majesty, by and with the Advice and Consent of Her Chancellor and Council of Her said Duchy, doth by these presents grant and convey unto the said *C.D.* and his Heirs all [*describing Premises*], to have and to hold the same unto the said *C.D.* his Heirs and Assigns for ever.

In witness

Y.

These Presents witness, That in consideration of the Sum of Pounds paid to *A.B.* of by *C.D.* the Receiver General of the Revenues of the Duchy of Lancaster, or his sufficient Deputy or Deputies, on behalf of Her Majesty, he the said *A.B.* doth by these Presents convey and assure unto the said *C.D.* his Heirs and Assigns, all [*describing Premises*], to have and to hold the same unto the said *C.D.* his Heirs and Assigns, to the Use of Her said Majesty, Her Heirs and Successors, in right of Her said Duchy.

In witness

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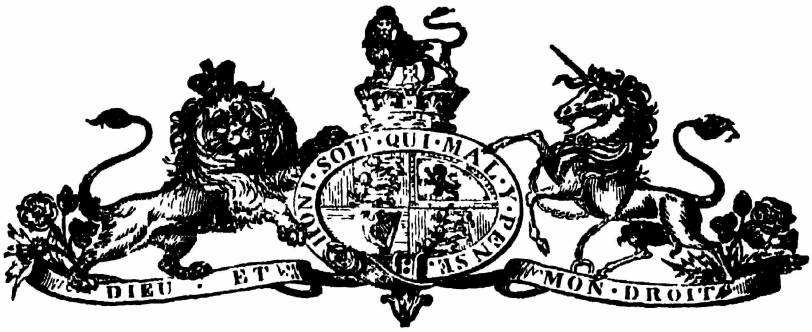

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Commissioners should be appointed to act under the said Commissioners and in their Aid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Construction of Terms.

I. In the Construction of this Act the following Words and Expressions shall, if not inconsistent with the Context, have the Meaning herein-after assigned to them; (that is to say,)

The Word "Commissioners" shall mean the said Commissioners named in the said Commission, or any Three of them;

"Endowed Schools" or "Schools" shall mean and include all Schools of Royal Foundation in *Ireland*, the Schools on the Foundation of *Erasmus Smith*, the Charter Schools and Diocesan Schools, and all Schools endowed on charitable or public Foundations in *Ireland;*

"Endowments" shall mean and include the Estates, Lands, Funds, and annual or other Income given, granted, or applied for the Establishment or Support of such Schools, or for the Purposes of Education therein;

And "Lord Lieutenant" shall mean the Chief Governor or Chief Governors of *Ireland* for the Time being.

Commissioners to meet and to inquire into the Endowments and State of all Schools, &c.

II. The Commissioners, so soon as conveniently may be, shall meet from Time to Time at some convenient Place, and examine and inquire into the State, Condition, and Management of all Endowed Schools in *Ireland*, and the Nature and Extent of the Instruction given therein, and also into the Nature, Amount, and annual or other Value of the Endowments of such Schools respectively, and the annual Income derived from such Endowments, and how the same has been applied, and into such other Matters connected with such Schools, and the System of Education pursued therein, as to the Commissioners shall seem expedient.

Power to Commissioners to repair to Schools, examine Witnesses, and call for Documents.

III. The Commissioners, or any One or more of them, may repair to any School or to any other Place, and there to summon and examine, on Oath or otherwise, all and every Person or Persons touching any Matters which they are empowered or directed by this Act to examine or inquire into, and to call for Vouchers, Books, Deeds, Evidences, Maps, and all other Documents, and to examine and inquire into all Matters which to the Commissioners shall seem necessary and proper; and the Commissioners are hereby respectively empowered to administer an Oath to any Person who shall be so examined by or before them.

IV. If

IV. If any Person having Charge of any Document relating to any of the aforesaid Endowed Schools, or holding any Situation in connexion therewith, or having the Disposition, Control, or Management of any Money, Lands, or other Property for the Establishment or Support of any such Schools or the Purposes of Education therein, shall be summoned to appear before the Commissioners or any One or more of them, for the Purpose of being examined, or to produce any Documents before them, shall refuse to appear or to be examined by the Commissioners or any Three of them, or shall refuse to answer such Questions as shall be propounded by the Commissioners, or any of them, touching any Matter or Thing which they are empowered or directed by this Act to examine into, or shall refuse or neglect to attend before such Commissioners from Day to Day, when required so to do, or to produce such Records, Deeds, Parchments, Books, Papers, or Writings, or any of them, without good and sufficient Cause, to be allowed by the Commissioners, every such Person shall forfeit the Sum of Twenty Pounds for every such Refusal, Neglect, or Omission, to be recovered by Action in any of Her Majesty's Courts of Record, or by Civil Bill in the Court of any Assistant Barrister, by any Person who shall sue for the same.

Penalty on Persons refusing to attend to be examined or to produce Documents.

V. The Commissioners may from Time to Time, as often as they shall think proper, and as often as they shall be required so to do by the Lord Lieutenant, make a Report in Writing under their Hands and Seals, or the Hands and Seals of any Three of them, to Her Majesty of all Matters arising upon such Examinations and Inquiries which shall appear to the Commissioners necessary or proper so to be reported, and shall in like Manner report and suggest to Her Majesty such Plans for the Improvement of Education in such Schools and the better Management of their Endowments, and for the better regulating, managing, and governing such Schools, and for the general Promotion, in connexion with said Schools, of Academical Education in *Ireland*, as shall appear to the Commissioners to be expedient and practicable.

Power to Commissioners to make Report to Her Majesty, and suggest Plans of Improvement of Schools.

VI. The Lord Lieutenant may, on the Requisition of the Commissioners, appoint One or more but not exceeding Four Assistants to the Commissioners, to be called Assistant Commissioners; and the Commissioners may from Time to Time remove such Assistant Commissioners, and the Lord Lieutenant may, on the Requisition of the Commissioners, appoint others in their Place; and the Remuneration to be paid to such Assistant Commissioners, in addition to their Travelling Expenses, shall be such Sum as the Commissioners of Her Majesty's Treasury shall appoint, not exceeding the Sum of Two hundred Pounds for each Assistant Commissioner, to be paid out of such

Appointment of Assistant Commissioners.

such Aids or Supplies as may be from Time to Time provided and appropriated by Parliament for the Purpose.

Duties of Assistant Commissioners.

VII. It shall be the Duty of the Assistant Commissioners to act in aid of the Commissioners, and under their Directions, in execution of the Objects of this Act, and for that Purpose to visit and inspect such of the Endowed Schools in *Ireland* as the Commissioners shall direct, and to examine into the Endowments and State and Condition of such Schools, and to report thereon to the Commissioners; and such Assistant Commissioners shall have and enjoy the same Rights and Powers as the Commissioners or any of them might or would have had if they had visited the Schools in Person.

This Act not to affect Powers of Commissioners.

VIII. Nothing herein contained shall be deemed to abridge, lessen, or affect the Powers of the Commissioners under and by virtue of Her Majesty's said Commission.

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marking of Gold Plate: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Gold Wedding Rings to be assayed and marked.

I. From and after the passing of this Act, Gold Wedding Rings shall be assayed and marked in like Manner as Gold Plate not exempted is required by the Statutes now in force to be assayed and marked, and all the Provisions of the Statutes relating to the Manufacture or Sale of Gold Plate shall apply to Gold Wedding Rings, anything therein contained to the contrary notwithstanding.

Sect. 3. of 17 & 18 Vict. c. 96. repealed.

II. The Third Section of the Act passed in the Eighteenth Year of the Reign of Her present Majesty, herein recited, is hereby repealed so far as the same might affect Gold Wedding Rings.

Certain Companies, &c. authorized to assay and mark Gold Wares indemnified.

III. And whereas since the coming into operation of the said recited Act certain of the Companies and Corporations authorized to assay and mark Gold Wares have assayed and marked divers Gold Rings of the Standards required by Law before the passing of the said recited Act, and have upon such assaying and marking by their Officers and Servants demanded and received, for the Use of Her Majesty, the same Duty as was payable to Her Majesty in respect of the like Gold Rings when assayed and marked before the passing of the said recited Act: And whereas Doubts have been entertained whether such Demands and Receipts of such Duty were lawful: Be it enacted, That all such Demands and Receipts of such Duty shall be deemed and taken to have been lawful, notwithstanding the said recited Act, and that none of the said Companies or Corporations, or of their Officers or Servants, shall be liable to any Action, Suit, or other Proceeding by reason or on account of any such Demand or Receipt as aforesaid.

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CAP. LXI.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales*.

[23d *July* 1855.]

WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, "Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Tenth Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures mentioned in the Schedule may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use, either the Expression "The

Second Annual Inclosure Act, 1855," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Loddiswell	Devon	14th December 1854.
Skirwith	Cumberland	11th January 1855.
Northweald Bassett	Essex	3d January 1855.
Huntley Common	Gloucester	10th August 1854.
Marshchapel and Grainthorpe	Lincoln	3d March 1855.
Bamford	Derby	5th April 1855.
Seaton	Rutland	24th June 1854.
Volca Common Meadow	Hereford	19th April 1855.
Myarth Hill	Brecon	19th April 1855.
Berrow	Worcester	10th May 1855.
Nazeing	Essex	14th December 1854.
Sheet	Southampton	19th April 1855.
Petersfield Heath	Southampton	19th April 1855.
Bryn Postig Hill	Montgomery	27th July 1854.
Caversham	Oxford	3d May 1855.
Lee Common	Bucks	17th May 1855.
Frilsham	Berks	31st May 1855.
Bottenden Hill	Bucks	25th May 1854.
Conisbrough Open Fields	York	17th May 1855.
Streatley	Bedford	10th May 1855.
Maulds Meaburn	Westmorland	7th December 1854.
Kirkandrews Common	Cumberland	19th June 1855.
The Henallt Common	Brecon	23d June 1855.
Llanganten	Brecon	19th June 1855.
Pithington Marsh	Sussex	21st June 1855.
Roydon	Essex	19th June 1855.

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Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. LXII.

An Act to amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in *Ireland*. [23d *July* 1855.]

WHEREAS an Act was passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-nine, entitled *An Act to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in* Ireland, and it is expedient to amend the same: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 89.

I. If any Person shall apply for and be refused the Certificate in the said Act mentioned, to entitle such Person to obtain a Renewal of a Licence to sell Beer, Cider, or Spirituous Liquors in *Ireland*, the Justices at Petty Sessions, or the Divisional Justices, as the Case may be, Justices refusing Certificate for Renewal of Licence to sell Beer, &c.

to make Entry of Order in manner required by 3 & 4 W. 4. c. 68.

be, shall, in the event of thereupon refusing such Application, make an Order accordingly, and cause an Entry thereof to be made by the Clerk, together with the Grounds of Refusal, in like Manner as the Justices assembled at Quarter Sessions are required to do by an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in* Ireland.

Persons aggrieved may appeal to Quarter Sessions.

II. In case any Person shall feel aggrieved by such Order of Refusal it shall be lawful for such Person to appeal against the same to the Quarter Sessions of the Division within which such Person shall reside, or if in the *Dublin* Metropolitan Police District to the Recorder of the City of *Dublin* at the next Quarter Sessions after such Order, but in case there shall not be Fifteen clear Days between the making of the Order and such next Quarter Sessions, then to the Quarter Sessions next following in such Division or City, as the Case may be; and in such Appeal the Party opposing such Application shall be Respondent, and no other Ground for refusing such Certificate shall be entered upon except such as shall be stated in such Order of Refusal; and such Appeal shall be subject to the like Incidents, and be heard and dealt with by the Court of Quarter Sessions or Recorder in like Manner, as an Appeal from an Order of the Justices at Petty Sessions under the "Petty Sessions, *Ireland*, Act, 1851," save that the Recognizance to be entered into shall be in the Form to this Act annexed: Provided always, that upon such Person having lodged such Appeal, and entered into the Recognizance, as directed by this Act, the Licence affected by such Order shall remain in full Force and Effect, unless and until such Court of Quarter Sessions or Recorder shall confirm the said Order of Refusal; and such Appeal shall not be dismissed upon any Point of Form: Provided, that, notwithstanding anything herein contained, any Licence may be withdrawn or annulled under the Provisions of any Act or Acts now in force, other than the said first-mentioned Act.

FORM OF RECOGNIZANCE.

A.B. Appellant. } Petty Sessions District of
C.D. Respondent. } County of *or* Dublin Metropolitan Police District of

WHEREAS the Justices [*or, if in the City of Dublin, A.B.*, Divisional Justice,] on the Day of 18 made an Order refusing to grant to the Appellant a Certificate to entitle him [her] to obtain a Renewal of a Licence to sell Beer, Cider, or Spirituous Liquors (*as the Case may be*), upon the Grounds that [*state Grounds mentioned in the Order*]:

The undersigned principal Party to this Recognizance hereby binds himself [herself] to perform the following Obligation, that is to say, to prosecute his [her] Appeal at the Quarter Sessions to be held at , and to pay such Costs as the Assistant Barrister (Chairman, *or* Recorder,) shall order or direct; and the said principal Party, together with the undersigned Sureties, hereby severally acknowledge themselves bound to forfeit to the Crown the Sums following, that is to say, the said principal Party Five Pounds, and the undersigned Sureties the Sum of Fifty Shillings each, in case the principal Party fails to perform his [her] Obligation.

(Signed) *A.B.* (Principal Party.)
E.F. } (Sureties.)
G.H. }

Taken before me, this Day of 18 at

(Signed) *Y.Z.* (Justice *or* Divisional Justice.)

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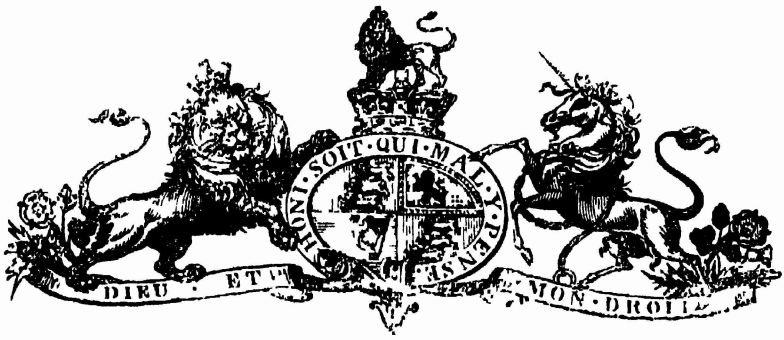

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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Their Rules to continue in force, and Enrolments to be sent to Registrar.

III. Provided also, That the Rules of every such subsisting Society hitherto formed and established, which have been hitherto confirmed, registered, or certified under the said Acts or any of them, shall be deemed valid and in force until the same shall be altered or rescinded as herein-after mentioned; and all Transcripts of any of such Rules which are now filed with the Rolls of the Sessions of the Peace of any County, Riding or Division, City or Borough, Liberty or Place, shall be taken off the File, and shall be transmitted, on or before the First Day of *November* One thousand eight hundred and fifty-five, to the Registrar under this Act, to be by him kept in such Manner as shall be directed from Time to Time by One of Her Majesty's Secretaries of State in that Behalf.

All their Contracts, and all Bonds, &c. to them, to continue in force.

IV. Provided also, That all Contracts and Engagements by or with any of the said Societies now valid and in force, and all Bonds and Securities heretofore given by any Trustee, Treasurer, or other Officer of any such Society, shall continue and be valid and in force notwithstanding the Repeal of the said Acts.

Their Exemptions, Powers, and Privileges under this Act.

V. All such subsisting Societies, whose Rules have heretofore been confirmed, registered, or certified under the said Acts or any of them, shall, so long as they shall not hereafter effect an Assurance to any Member thereof, or other Person, of any Sum exceeding Two hundred Pounds, or of any Annuity exceeding Thirty Pounds *per Annum*, enjoy all the Exemptions and Privileges by this Act conferred on Societies to be established under the Provisions of this Act, as fully as if they had been registered and certified under this Act as herein-after mentioned.

Registrars.

Registrars, how and by whom appointed.

VI. For the Purposes of this Act, there shall be Three Registrars of Friendly Societies, One for *England*, One for *Scotland*, and One for *Ireland*, who shall hold their respective Offices during the Pleasure of the Commissioners for the Reduction of the National Debt; and upon the Death, Resignation, or Removal of any One of them, the said Commissioners shall appoint another, being a Barrister in *England* or *Ireland*, and in *Scotland* an Advocate, of not less than Seven Years standing, to the said Office.

Their Salaries.

VII. It shall be lawful for the Commissioners of Her Majesty's Treasury to pay to the present Registrar for *England* a Salary equal to that which has been paid to him yearly in each of the Three last Years, not exceeding One thousand Pounds *per Annum*, and to pay to any Registrar hereafter to be appointed for *England* a Salary not exceeding Eight hundred Pounds a Year, and to pay to the Registrars for *Scotland* and *Ireland* respectively a Salary such

such as the said Commissioners shall direct not exceeding One hundred and fifty Pounds a Year, every such Salary to be paid by Four equal quarterly Payments; and any of the said Registrars who shall be appointed, or who shall die, resign, or be removed from his Office, in the Interval between Two quarterly Days of Payment, shall be entitled to a proportionate Part of his Salary, and such Salaries and proportionate Parts of Salaries shall be paid out of such Monies as shall be provided by Parliament for that Purpose.

Their Expenses of Office, &c.

VIII. The said Commissioners of Her Majesty's Treasury shall, out of such Monies as may be provided by Parliament for the Purpose, pay to the said Registrars respectively such Sum as will defray the Expenses allowed by the said Commissioners from Time to Time for Office Rent, Salaries of Clerks, Stationery, Computation of Tables, and for such other Expenses as may be incurred by them respectively.

Societies, how and for what Purpose formed.

IX. It shall be lawful for any Number of Persons to form and establish a Friendly Society, under the Provisions of this Act, for the Purpose of raising by voluntary Subscriptions of the Members thereof, with or without the Aid of Donations, a Fund for any of the following Objects; (that is to say,)

For Payments on Death.

1. For insuring a Sum of Money to be paid on the Birth of a Member's Child, or on the Death of a Member, or for the Funeral Expenses of the Wife or Child of a Member:

For Relief in Sickness, &c.

2. For the Relief or Maintenance of the Members, their Husbands, Wives, Children, Brothers or Sisters, Nephews or Nieces, in old Age, Sickness, or Widowhood, or the Endowment of Members or Nominees of Members at any Age:

For other Purpose authorized by Secretary of State, &c.

3. For any Purpose which shall be authorized by One of Her Majesty's Principal Secretaries of State, or in *Scotland* by the Lord Advocate, as a Purpose to which the Powers and Facilities of this Act ought to be extended:

Provided, that no Member shall subscribe or contract for an Annuity exceeding Thirty Pounds *per Annum*, or a Sum payable on Death, or on any other Contingency, exceeding Two hundred Pounds:

And if such Persons so intending to form and establish such Society shall transmit Rules for the Government, Guidance, and Regulation of the same, to the Registrar aforesaid, and shall obtain his Certificate that the same are in conformity with Law as herein-after mentioned, then the said Society shall be deemed to be fully formed and established from the Date of the said Certificate.

X. In

No Money to be paid on the Death of a Child without a Copy of Entry of the Registrar of Deaths.

X. In any Society in which a Sum of Money may be insured payable on the Death of a Child under Ten Years of Age, it shall not be lawful to pay any Sum for the Funeral Expenses of such Child, except upon Production of a Copy of the Entry in the Register of Deaths, signed by the Registrar of the District in which the Child shall have died; and if such Entry shall not state that the Cause of Death has been certified by a qualified Medical Practitioner, or by a Coroner, a Certificate signed by a qualified Medical Practitioner, stating the probable Cause of Death, shall be required, and it shall not be lawful in that Case to pay any Sum without such Certificate; and no Trustee or Officer of any Society, upon an Insurance of a Sum payable for the Funeral Expenses of any such Child, made after the passing of this Act, shall knowingly pay a Sum which shall raise the whole Amount receivable from One or more than One Society for the Funeral Expenses of a Child under the Age of Five Years to a Sum exceeding Six Pounds, or of a Child between Five and Ten Years to a Sum exceeding Ten Pounds; and any such Trustee or Officer who shall make any such Payment otherwise than as aforesaid, or who shall pay any Sum without endorsing the Amount which he shall pay on the Back or at the Foot of the Copy of Entry signed by the said Registrar, shall be liable to a Penalty not exceeding Five Pounds for every such Offence, upon Conviction thereof before Two Justices of the County or Borough in which such Death shall have taken place: The said Registrar shall be entitled to receive, upon Delivery of such Copy of Entry, for the Purpose of receiving Money from a Friendly Society, a Fee of One Shilling, and it shall not be lawful for him to deliver more than One such Copy for such Purpose, except by the Order of a Justice of the Peace.

Benevolent Societies, in what Case entitled to the Benefits of this Act.

XI. And whereas many Provident, Benevolent, and Charitable Institutions and Societies are formed and may be formed for the Purpose of relieving the physical Wants and Necessities of Persons in poor Circumstances, or for improving the Dwellings of the Labouring Classes, or for granting Pensions, or for providing Habitations for the Members or other Persons elected by them, and it is expedient to afford Protection to the Funds thereof: Be it enacted, That if Two Copies of the Rules of any such Institution or Society, and from Time to Time the like Copies of any Alterations or Amendments made in the same, signed by Three Members and the Secretary thereof, shall be transmitted to the Registrar aforesaid, such Registrar shall, if he shall find that the same are not repugnant to Law, give a Certificate to that Effect; and thereupon the following Sections of this Act, that is to say, the Seventeenth, Eighteenth, Nineteenth, Twentieth,

tieth, Twenty-first, and Twenty-second, Fortieth, Forty-first, Forty-second, and Forty-third, shall extend and be applicable to the said Institution and Society, as fully as if the same were a Society established under this Act.

Statutes as to unlawful Oaths not to extend to Societies under this Act or any repealed Acts.

XII. The Act of the Thirty-ninth of *George* the Third, Chapter Seventy-nine, and the Act of the Fifty-seventh of *George* the Third, Chapter Nineteen, and also the Act of the Fourteenth and Fifteenth of Her present Majesty, Chapter Forty-eight, relating to unlawful Oaths in *Ireland*, shall not extend to any Society established under this Act or any of the Acts hereby repealed, or to any Meeting of the Members or Officers thereof in which Society or at which Meeting no Business whatever is transacted other than that which directly and immediately relates to the Objects of the Society as declared in the Rules thereof, and set forth in the certified Copy thereof: Provided, that the Trustees or other Officers of the Society, when required under the Hands of Two of Her Majesty's Justices of the Peace, shall give full Information to such Justices of the Nature, Objects, Proceedings, and Practices of such Society, and in default thereof the Provisions of the Acts herein recited shall be in force in respect of such Society.

Societies, how dissolved.

XIII. It shall be lawful for the Members of any Society heretofore formed and established, or hereafter to be formed and established at some Meeting thereof to be specially called in that Behalf, to dissolve or determine the same by Consent: Provided that no Society established under this or any Act relating to Friendly Societies shall be dissolved or determined without obtaining the Votes of Consent of Five Sixths in Value of the then existing Members thereof, including the honorary Members, if any, to be ascertained in manner herein-after mentioned, nor without the Consent of all Persons, if any, then receiving or then entitled to receive any Relief, Annuity, or other Benefit from the Funds thereof, to be testified under their Hands individually and respectively, unless the Claim of every such Person be first duly satisfied, or adequate Provision made for satisfying such Claim; and for the Purpose of ascertaining the Votes of such Five Sixths in Value of the Numbers as aforesaid, every Member shall be entitled to One Vote, and an additional Vote for every Five Years that he may have been a Member, but no One Member shall have more than Five Votes in the whole; and the intended Appropriation or Division of the Funds or other Property shall be fairly and distinctly stated in the Agreement for Dissolution prior to such Consent being given; and the Agreement for such Dissolution, duly signed as aforesaid, accompanied with a statutory Declaration by One of the Trustees, or by

Three Members and the Secretary, taken before a Justice of the Peace, that the Provisions of this Act have been complied with, shall be forthwith transmitted to the Registrar, to be by him deposited with the Rules of the Society, and such Agreement shall thereupon be an effectual Discharge at Law and in Equity to the Trustees, Treasurers, and other Officers of such Society, and shall operate as a Release from all the Members of the Society to such Trustees, Treasurers, and other Officers; and it shall not be lawful in any Society to direct a Division or Appropriation of any Part of the Stock thereof, except for the Purpose of carrying into effect the general Interests and Objects declared in the Rules as originally certified, unless the Claim of every Member is first duly satisfied, or adequate Provision be made for satisfying such Claims; and in case any Member of such Society shall be dissatisfied with such Provision, it shall be lawful for him or her to apply to the Judge of the County Court of the District within which the usual Place of Business of the Society is situated for Relief or other Order; and the said Judge shall have the same Powers to entertain such Application, and to make such Order or Direction in relation thereto, as he may think the Justice of the Case may require, as hereinafter is enacted in regard to the Settlement of Disputes; and in the event of the Dissolution or Determination of any Society, or the Division or Appropriation of the Funds thereof, except in the Way herein-before provided, any Trustee or other Officer or Person aiding or abetting therein shall, on Conviction thereof by Two Justices, be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for any Term not exceeding Three Calendar Months, as to such Justices shall seem meet.

Societies may unite with others, or One Society may transfer its Engagements to another.

XIV. It shall be lawful for any Two or more Societies established under this or any of the Acts hereby repealed to unite and become incorporated in One Society, with or without any Dissolution or Division of the Funds of such Societies or either of them; or a Society formed and established under this Act or any of the said repealed Acts may be allowed to transfer its Engagements to any other Friendly Society, if any other such Society shall undertake to fulfil the Engagements of such Society, upon such Terms as shall be agreed upon by the major Part of the Trustees, and also of the Committee of Management of both Societies, or the Majority of the Members of each of such Societies at a General Meeting convened for the Purpose.

Minors may be elected as Members.

XV. A Person under the Age of Twenty-one may be elected or admitted as a Member of any Society established under this Act or any of the Acts hereby repealed, the Rules of which do not prohibit such

such Election, and may and he is hereby empowered to execute all necessary Instruments and to give all necessary Acquittances: Provided always, that during his Nonage he shall not be competent to hold any Office of Director, Trustee, Treasurer, or Manager of such Society.

Buildings for the Purpose may be purchased or leased.

XVI. It shall be lawful for the Trustee or Trustees for the Time being of any Friendly Society formed and established under this Act or under any of the Acts hereby repealed, with the Consent of a Majority of the Members thereof present at a Special or General Meeting of the Society, to purchase, build, hire, or take upon Lease any Building for the Purpose of holding such Meetings, and to adapt and furnish the same, and to purchase or hold upon Lease any Land not exceeding One Acre for the said Purpose of erecting thereon a Building for holding the Meetings of the Society, and such Trustee or Trustees shall thereupon hold the same in trust for the Use of such Society; and, with the like Consent as aforesaid, such Trustee or Trustees may mortgage, sell, exchange, or let such Building or any Part thereof; and the Receipt in Writing of such Trustee, or One of such Trustees for the Time being, shall be a legal Discharge for the Money arising from such Mortgage, Sale, Exchange, or Letting; and no Mortgagee, Purchaser, Tenant, or Assignee shall be bound to inquire into or ascertain or prove the Consent aforesaid, to verify his Title: Provided always, that any Building purchased or appropriated for the Purpose aforesaid already belonging to or in the Possession of any Friendly Society heretofore formed and established under the said repealed Acts or any of them may be holden and dealt with as if it had been acquired under this Act; and the Land or Buildings which may be vested in the Treasurer, Trustee, or other Officer thereof for the Time being shall thereupon vest in the Trustee or Trustees for the Time being of such Society, for the same Estate and Interest as the said Treasurer, Trustee, or other Officer may have therein, without any Conveyance or Assignment whatever: Provided nevertheless, that all Money spent in purchasing, building, hiring, or taking upon Lease any Building for the Purpose of holding such Meetings, and in adapting and furnishing the same, be raised according to the Rules of the Society on such Behalf inserted; and this Section shall apply to any Society registered under the Industrial and Provident Societies Act, 1852, and to any Building or Land to be purchased, built, hired, or taken on Lease for the Purposes of the Labour, Trade, or Handicraft of such Society, in all respects as hereby enacted with regard to any Building or Land for the holding the Meetings of any Friendly Society.

XVII. Every

Trustees, how appointed.

XVII. Every Friendly Society established under this Act shall, at some Meeting of its Members, and by a Resolution of a Majority of the Members then present, nominate and appoint One or more Person or Persons to be Trustee or Trustees for the said Society, and the like in the Case of any Vacancy in the said Office; and a Copy of the Resolution so appointing such Person or Persons to the Office of Trustee, and signed by such Trustee or Trustees and by the Secretary of the said Society, shall be sent to the Registrar, to be by him deposited with the Rules of the said Society in his Custody: Provided always, that where no Trustee shall have been appointed in any Society established under any One of the Acts hereby repealed, the Treasurer thereof, or other Person who has Custody of the Monies of such Society, shall be taken to be a Trustee, within the Meaning of this Act.

Property of the Society vested in them.

XVIII. All Real and Personal Estate whatsoever belonging to any such Society established under this Act or any of the Acts hereby repealed shall be vested in such Trustee or Trustees for the Time being, for the Use and Benefit of such Society and the Members thereof, and the Real or Personal Estate of any Branch of a Society shall be vested in the Trustees of such Branch, and be under the Control of such Trustee or Trustees, their respective Executors or Administrators, according to their respective Claims and Interest, and upon the Death or Removal of any such Trustee or Trustees the same shall vest in the succeeding Trustee or Trustees for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any Conveyance or Assignment whatsoever, save and except in the Case of Stocks and Securities in the Public Funds of *Great Britain* and *Ireland*, which shall be transferred into the Name or Names of such new Trustee or Trustees; and in all Actions or Suits or Indictments, or Summary Proceedings before Magistrates, touching or concerning any such Property, the same shall be stated to be the Property of the Person or Persons for the Time being holding the said Office of Trustee, in his or their proper Name or Names, as Trustees of such Society, without any further Description.

Actions, &c. by or against them.

XIX. The Trustee or Trustees of any such Society are hereby authorized to bring or defend, or cause to be brought or defended, any Action, Suit, or Prosecution in any Court of Law or Equity, touching or concerning the Property, Right, or Claim to Property of the Society for which he or they are such Trustee or Trustees as aforesaid; and such Trustee or Trustees shall and may, in all Cases concerning the Real or Personal Property of such Society, sue and

and be sued, plead and be impleaded, in any Court of Law or Equity, in his or their proper Name or Names, as Trustee or Trustees of such Society, without other Description; and no such Action, Suit, or Prosecution shall be discontinued or shall abate by the Death of such Person, or his Removal from the Office of Trustee, but the same shall and may be proceeded in by or against the succeeding Trustee or Trustees as if such Death or Removal had not taken place; and such succeeding Trustee or Trustees shall pay or receive the like Costs as if the Action or Suit or Prosecution had been commenced in his or their Name or Names, for the Benefit of or to be reimbursed from the Funds of such Society.

Limitation of his Responsibility.

XX. Provided nevertheless, That no Trustee or Trustees of any such Society shall be liable to make good any Deficiency which may arise or happen in the Funds of such Society, but shall be liable only for the Monies which shall be actually received by him on account of such Society.

Treasurer to give Security.

XXI. The Treasurer of every such Society, and every Treasurer hereafter appointed in any Society established under any of the repealed Acts, or any other Officer who is required by the Rules to give Security, shall, before he take upon himself the Execution of his Office, become bound, with One sufficient Surety, in a Bond according to the Form set forth in the Third Schedule to this Act, or give the Security of a Guarantee Society established in *London*, in such penal Sum as the Society or the Committee of Management shall direct and appoint, conditioned for his just and faithful Execution of his said Office of Treasurer, and for rendering a just and true Account of all Monies received or paid by him on account of the said Society at such Times as the Rules of the said Society shall direct and appoint, and at such Times as he shall be required so to do by the Trustee or Trustees of the said Society, or by a Majority of the said Committee of Management, or by a Majority of the Members present at any Meeting of such Society; and every such Bond shall be given to the Trustee or Trustees of the said Society for the Time being; and if the same shall at any Time become forfeited, it shall be lawful for such Trustee or Trustees for the Time being to sue upon such Bond for the Use of such Society; and in *Scotland* such Bond shall have the same Force and Effect as a Bond there in use duly attested and completed, and containing a Clause of Registration for Execution as well as for Preservation in the Books of Council and Session and other Judges Books competent, and shall be registered in such Books accordingly, with a view to Diligence.

Treasurer to account.

XXII. Every such Treasurer or other Officer, whether appointed before or after the passing of this Act, at such Times as by the Rules of such Society he should render such Account as aforesaid, or upon being required so to do by the Trustee or Trustees of such Society, or by a Majority of the said Committee of Management, or by a Majority of the Members present at a Meeting of the said Society as aforesaid, within Seven Days after such Requisition shall render to the Trustee or Trustees of the Society, or to the said Committee of Management, or to the Members of such Society at a Meeting of the Society, a just and true Account of all Monies received and paid by him since he last rendered the like Account, and of the Balance then remaining in his Hands, and of all Bonds or Securities of such Society, which Account the said Trustee or Trustees or Committee of Management shall cause to be audited by some fit and proper Person or Persons by them to be appointed; and such Treasurer, if thereunto required, upon the said Account being audited, shall forthwith hand over to the said Trustee or Trustees the Balance which on such Audit shall appear to be due from him, and shall also, if required, hand over to such Trustee or Trustees all Securities and Effects, Books, Papers, and Property of the said Society in his Hands or Custody; and if he fail to do so the Trustee or Trustees of the said Society may sue upon the Bond aforesaid, or may sue such Treasurer in the County Court of the District, or in any of the Superior Courts of Common Law; or in any other Court having Jurisdiction, for the Balance appearing to have been due from him upon the Account last rendered by him, and for all the Monies since received by him on account of the said Society, and for the Securities and Effects, Books, Papers, and Property in his Hands or Custody, leaving him to set off in such Action the Sums, if any, which he may have since paid on account of the said Society; and in such Action the said Trustee or Trustees shall be entitled to recover their full Costs of Suit, to be taxed as between Attorney and Client.

Property how recovered, if the Officer die, or become bankrupt or insolvent.

XXIII. If any Person already appointed or employed or hereafter to be appointed or employed to or in any Office in any Friendly Society established under this Act or under any of the Acts hereby repealed, whether such Appointment or Employment was before or after the legal Establishment of such Society, and having in his Hands or Possession, by virtue of his Office, any Monies or Property whatsoever of such Society, or any Deeds or Securities belonging to such Society, shall die, or become bankrupt or insolvent, or have any Execution or Attachment or other Process issued against him or any Part of his Property, or shall have any Action or Diligence raised against his Lands, Goods, Chattels, or Effects, or Property or other Estate, heritable or moveable, or shall make

make any Assignment, Disposition, Assignation, or other Conveyance for the Benefit of his Creditors, the Heirs, Executors, Administrators, or Assignees of every such Officer, and every other Person having or claiming Right to the Property of such Officer, and the Sheriff or other Person executing such Process, and the Party using such Action or Diligence respectively, shall, upon Demand in Writing made by the Treasurer or by the Trustee or any Two of the Trustees of such Society, or any Person appointed at some Meeting of the Society to make such Demand, deliver and pay over all such Monies, Property, Deeds, and Securities belonging to such Society to such Person as such Treasurer or Trustees shall appoint, and shall pay, out of the Estate, Assets, or Effects, heritable or moveable, of such Officer, all Sums of Money due which such Officer shall have received, before any other of his Debts are paid, and before any other Claims upon him shall be satisfied, and before the Money directed to be levied by such Process as aforesaid, or which may be recovered or recoverable under such Diligence, is paid over to the Party issuing such Process or using such Diligence; and all such Assets, Lands, Goods, Chattels, Property, Estates, and Effects shall be bound to the Payment, Discharge, and Satisfaction of such Claims.

Punishment of Fraud in withholding Money, &c.

XXIV. If any Officer, Member, or other Person, being or representing himself to be a Member of such Society, or the Nominee, Executor, Administrator, or Assignee of a Member thereof, or any Person whatsoever, by false Representation or Imposition, shall obtain Possession of any Monies, Securities, Books, Papers, or other Effects of such Society, or having the same in his Possession shall withhold or misapply the same, or shall wilfully apply any Part of the same to Purposes other than those expressed or directed in the Rules of such Society, or any Part thereof, it shall be lawful in *England* for any Justice of the Peace acting in the County or Borough in which the Place of Business of such Society shall be situated, upon Complaint made by any Person on behalf of such Society, to summon the Person against whom such Complaint is made to appear at a Time and Place to be named in such Summons; and any Two Justices present at the Time and Place mentioned in such Summons shall proceed to hear and determine the said Complaint, in manner directed by the Act passed in the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three; and in *Scotland* every such Offence may be prosecuted by summary Complaint at the Instance of the Procurator Fiscal of the County, or of the Society, with his Concurrence, before the Sheriff; and if the said Justices or Sheriffs respectively shall determine the said Complaint to be proved against such Person, they shall adjudge and order him to deliver up all such Monies, Securities, Books, Papers, or other Effects to the Society, or to repay the Amount of Money applied

applied improperly, and to pay, if they think fit, a further Sum of Money not exceeding Twenty Pounds, together with Costs not exceeding Twenty Shillings; and, in default of such Delivery of Effects, or Repayment of such Amount of Money, or Payment of such Penalty and Costs aforesaid, the said Justices or Sheriffs may order the said Person so convicted to be imprisoned in the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Three Months: Provided, that nothing herein contained shall prevent the said Society, or in *Scotland* Her Majesty's Advocate, from proceeding by Indictment against the said Party; Provided also, that no Person shall be proceeded against by Indictment if a Conviction shall have been previously obtained for the same Offence under the Provisions of this Act.

Rules to be made.

XXV. Before any Friendly Society shall be established under this Act, the Persons intending to establish the same shall agree upon and frame a Set of Rules for the Regulation, Government, and Management of such Society; and in such Rules they may, amongst other things, make Provision for appointing a General Committee of Management of such Society, and delegating to such Committee all or any of the Powers given by this Act to the Members of Friendly Societies formed or established under or by virtue of the same; and such Rules shall set forth,

1. The Name of the Society and Place of Meeting for the Business of the Society:
2. The whole of the Objects for which the Society is to be established, the Purposes for which the Funds thereof shall be applicable, and the Conditions under which any Member may become entitled to any Benefit assured thereby, and the Fines and Forfeitures to be imposed on any Member of such Society:
3. The Manner of making, altering, amending, and rescinding Rules:
4. A Provision for the Appointment and Removal of a General Committee of Management, of a Trustee or Trustees, Treasurer, and other Officers:
5. A Provision for the Investment of the Funds, and for an annual or periodical Audit of Accounts:
6. The Manner in which Disputes between the Society and any of its Members, or any Person claiming by or through any Member, or under the Rules, shall be settled:

And the Rules of every such Society shall provide that all Monies received or paid on account of each and every particular Fund or Benefit assured to the Members thereof, their Husbands, Wives, Children, Fathers, Mothers, Brothers or Sisters, Nephews or Nieces, for

for which a separate Table of Contributions payable shall have been adopted, shall be entered in a separate Account, distinct from the Monies received and paid on account of any other Benefit or Fund, and also that a Contribution shall be made to defray the necessary Expenses of Management, and a separate Account shall be kept of such Contributions and Expenses.

Copies to be sent to the Registrar, and his Certificate obtained.

XXVI. Two printed or written Copies of such Rules, signed by Three of the intended Members and the Secretary or other Officer, shall be transmitted to the Registrar aforesaid, and the said Registrar shall advise with the Secretary or other Officer, if required, for the Purpose of ascertaining whether the said Rules are calculated to carry into effect the Intentions and Object of the Persons who desire to form such Society, and if the Registrar shall find that such Rules are in conformity with Law and with the Provisions of this Act, he shall give a Certificate in the Form set forth in the Second Schedule to this Act, and shall return One of the said Copies to the said Society, and shall keep the other in such Manner as shall from Time to Time be directed by One of Her Majesty's Principal Secretaries of State, and for which Certificate no Fee shall be payable to the said Registrar; and all Rules, when so certified as aforesaid, shall be binding on the several Members of the said Society: Provided always, that it shall not be lawful for the said Registrar to grant any such Certificate to a Society assuring to any Member thereof a certain Annuity or certain Superannuation, deferred or immediate, unless the Tables of Contributions payable for such kind of Assurance shall have been certified under the Hand of the Actuary to the Commissioners for Reduction of the National Debt, or by an Actuary of some Life Assurance Company established in *London*, *Edinburgh*, or *Dublin*, who shall have exercised the Profession of Actuary for at least Five Years, and such Certificate be transmitted to the Registrar, together with the Copies of the Rules aforesaid.

Actuary's Certificate to be sent with the Copies in case of Tables of Annuities.

Rules may be altered, amended, rescinded, or new Rules made.

XXVII. After the Rules of a Friendly Society shall have been so certified by the Registrar as aforesaid, it shall be lawful for such Society, by Resolution at a Meeting specially called for that Purpose, to alter, amend, or rescind the same or any of them, or to make new Rules; and it shall be lawful for any Friendly Society formed and established under any of the Acts hereby repealed to alter, amend, or rescind the Rules by which their Society is governed, regulated, or managed, or to make new Rules: Provided always, that Two Copies of the proposed Alterations or Amendments, and of such new Rules, signed by Three Members of such Society, and the Secretary or other Officer, shall be transmitted to the said

Registrar, to One of which shall be attached a Declaration by the Secretary or One of the Officers of such Society, that in making the same the Rules of such Society respecting the making, altering, amending, and rescinding Rules, or the Directions of the Act under which such Society was established, have been duly complied with; and if the said Registrar shall find that such Alterations, Amendments, or new Rules are in conformity with Law, he shall give to the Society a Certificate in the Form set forth in the Schedule to this Act, and return One of the Copies to the Society, and shall keep the other, with the Rules of such Society, in his Custody, and for which Certificate no Fee shall be payable to the said Registrar, and as against such Member or Person such Certificate shall be conclusive of the Validity thereof; and all Rules, Alterations, and Amendments, when so certified as aforesaid, shall be binding on the several Members of the said Society, and all Persons claiming on account of a Member or under the said Rules; but unless and until the same shall be so certified as aforesaid such Rules, Alterations, and Amendments shall have no Force or Validity whatsoever.

When Place of Meeting is altered, Notice to be sent to Registrar.

XXVIII. Whenever any Friendly Society established under this Act or under any of the Acts hereby repealed shall change its Place of Business, Notice of such Change, under the Hands of Two of the Trustees or Three Members and Secretary or other Officer, shall, within Fourteen Days thereafter, be sent to the said Registrar.

Circulating false Copies of Rules, &c. a Misdemeanor.

XXIX. If any Person shall give to any Member of a Friendly Society established under this Act or under any of the said repealed Acts, or to any Person intending or applying to become a Member of such Society, a Copy of any Rules, or of any Alterations or Amendments of the same, other than those respectively which have been enrolled with any Clerk of the Peace or certified by the Registrar, with a Copy of his Certificate appended thereto, under colour that the same are binding upon the Members of such Society, or shall make any Alterations in or Addition to any of the Rules or Tables of such Society after they shall have been respectively enrolled or certified by the Registrar, and shall circulate the same, purporting that they have been duly enrolled or certified under this or any of the said repealed Acts, when they have not been so duly enrolled or certified, every Person so offending shall be deemed guilty of a Misdemeanor.

Rules, how received in Evidence.

XXX. All Rules and Tables of any Society established under this Act or any of the said repealed Acts, and all Alterations and Amendments thereof, and all Copies thereof or Extracts therefrom, and all Writings and Documents relating to a Friendly Society, and purporting to be signed by the Registrar, shall, in

in the Absence of any Evidence to the contrary, be received in all Courts of Law and Equity, and elsewhere, without Proof of the Signature thereto.

On Death of Member, Sum under 50*l.* may be paid without Administration.

XXXI. When, on the Death of any Member of a Society established under this Act or any of the said repealed Acts, a Sum of Money not exceeding Fifty Pounds shall become payable, the same shall be paid by the Trustees of such Society to the Person directed by the Rules thereof, or nominated by the Deceased, in Writing deposited with the Secretary (such Person being the Husband, Wife, Father, Mother, Child, Brother or Sister, Nephew or Niece of such Member); and in case there shall be no such Direction or Nomination, or the Person so nominated shall have died before the deceased Member, or in case the Member shall have revoked such Nomination, then such Sum shall be paid to the Person who shall appear to the said Trustees to be entitled under the Statute of Distributions to receive the same, without taking out Letters of Administration in *England* or *Ireland*, and without Confirmation in *Scotland:* Provided, that wherever the Trustee or Trustees of any such Society, after the Decease of any Member thereof, shall have paid and divided any such Sum of Money to or amongst any Person or Persons who shall at the Time of such Payment appear to such Trustee or Trustees to be entitled to the Effects of any deceased Member who has died intestate, without having appointed any Nominee as aforesaid, the Payment of any such Sum shall be valid and effectual with respect to any Demand from any other Person or Persons as next of Kin of such deceased Member, or as the lawful Representative or Representatives of such Member, against the Funds of such Society or against the Trustees thereof; but nevertheless such next of Kin or Representative shall have his or her lawful Remedy for such Money so paid as aforesaid against the Person or Persons who shall have received the same.

Indemnity to Trustees.

Funds, how invested.

XXXII. The Trustee or Trustees of every Friendly Society established under this Act or any of the said repealed Acts shall from Time to Time, with the Consent of the Committee of Management of such Society, or of a Majority of the Members of such Society present at a General or Special Meeting thereof, or in accordance with the Rules of such Society, invest the Funds of such Society, or any Part thereof, to any Amount, in any Savings Bank, or in the Public Funds, or with the Commissioners for the Reduction of the National Debt, as herein-after mentioned, or in such other Security as the Rule of such Society may direct, not being the Purchase of House or Land, (save and except the Purchase of Buildings wherein to hold the Meetings or transact the Business of such Society, as herein-before mentioned,)

mentioned,) and not being the Purchase of Shares in any Joint Stock Company or other Company, with or without Charter of Incorporation, and not being personal Security, except in the Case of a Member of One full Year's standing at least, and in respect of a Sum not exceeding One Half the Amount of his Assurance on Life, such Member providing the written Security of himself and Two satisfactory Sureties for Repayment, and in case of such Member's Death before Repayment the Amount of such Advance, with Interest, may be deducted from the Sum so assured, without Prejudice in the meantime to the Operation of such Security.

Funds may be invested with the Commissioners of the National Debt.

XXXIII. Every Friendly Society established under this Act which does not assure the Payment in any Event of a Sum exceeding Two hundred Pounds, or an Annuity exceeding Thirty Pounds *per Annum*, may pay any Sum of Money not less than Fifty Pounds into the Bank of *England* or *Ireland*, to the Account of the Commissioners for the Reduction of the National Debt, upon the Declaration of the Trustee or of the Trustees, or any Two or more of them, that such Monies belong exclusively to the said Society; and the Cashier of the Bank of *England* is hereby required to receive all such Monies, and to place the same to the Account raised in the Name of the said Commissioners in the Book of the Bank, named "The Fund for Friendly Societies;" and if such Declaration shall not be true, then and in every such Case the Sum of Money so paid in on such Declaration shall be forfeited to the said Commissioners, and shall be applied by them in the Manner directed by any Act or Acts for the Time being in force relating to Savings Banks with respect to the Account of such Banks; and the Regulation of Receipts, Certificates, or Orders concerning Saving Banks shall be deemed applicable to Monies paid in as aforesaid under the Authority of this Act, as if the same had been herein repeated; and every such Society, on paying Money directly into the Bank as aforesaid, shall be entitled to receive Receipts bearing Interest at the Rate of Twopence *per Centum per Diem:* Provided, that every Society which shall deposit any Part of its Funds in any Savings Bank, or with the Commissioners for Reduction of the National Debt, shall furnish to the said Commissioners from Time to Time such Accounts as they may require in reference to the Funds so deposited.

What Interest old Societies shall have.

XXXIV. Every Society already established under any of the Acts hereby repealed, which shall have heretofore invested any Part of its Funds with the Commissioners for the Reduction of the National Debt, shall be entitled to pay into the Bank of *England* or *Ireland* in Sums of not less than Fifty Pounds, Money received from Members on account of Assurances made before the passing of this Act, and to receive

receive Receipts for the same bearing Interest at such Rate or Rates as such Society has hitherto been entitled to receive on account of such Assurances; that is to say, for Money invested with the Commissioners by any Society legally established before the Twenty-eighth Day of *July* in the Year One thousand eight hundred and twenty-eight, on account of any Assurance made before the Fifteenth Day of *August* in the Year One thousand eight hundred and fifty, Threepence *per Centum per Diem*; and on account of any Assurance effected after that Day, Twopence *per Centum per Diem*; and for Money invested with the Commissioners by any Society established between the Twenty-eighth Day of *July* in the Year One thousand eight hundred and twenty-eight and the Fifteenth Day of *August* in the Year One thousand eight hundred and fifty, on account of Assurances made before the Fifteenth Day of *August* in the Year One thousand eight hundred and fifty, Twopence Halfpenny *per Centum per Diem*; and on account of any Assurance effected after that Day, Twopence *per Centum per Diem*; and for Money invested with the Commissioners by any Society established since the Fifteenth Day of *July* One thousand eight hundred and fifty, the Sum of Twopence *per Centum per Diem*: Provided that the Trustees of every Society which shall have invested or shall invest any Part of its Funds with the said Commissioners shall furnish from Time to Time such Accounts and Returns as the said Commissioners shall require, and shall satisfy the said Commissioners that they are legally entitled to receive such Interest as aforesaid, and to make such further Investment.

Re-depositing of Money withdrawn.

XXXV. Where any Friendly Society shall withdraw Money invested by them with the Commissioners for the Reduction of the National Debt, such Society shall not be entitled to make any further Deposit with the said Commissioners without the Consent of the said Commissioners, or of the Comptroller General or Assistant Comptroller under them.

Transfer of Stock.

XXXVI. Whenever it shall happen that any Person, being or having been a Trustee of any Society established under this Act or any Act hereby repealed, and whether he shall have been appointed before or after the legal Establishment thereof, in whose Name any Part of the several Stocks, Annuities, and Funds belonging to any such Society, transferable at the Bank of *England* or *Ireland*, or in the Books of the Governor and Company of the Bank of *England* or *Ireland*, or in any Savings Bank, is or shall be standing, shall be out of *England* or *Ireland* or *Scotland* respectively, or shall have been removed from his Office of Trustee, or shall be a Bankrupt, Insolvent, or Lunatic, or it shall be unknown whether such Trustee is living or dead, it shall

be lawful for the Registrar, after receiving an Application in Writing from the Secretary of the Society and Three Members thereof, and upon Proof satisfactory to such Registrar, to direct the Accountant General or other proper Officer for the Time being of the said Governor and Company of the Bank of *England* or *Ireland*, or of any Savings Bank, to transfer in the Books of the said Company or of the said Savings Bank such Stocks, Annuities, or Funds, standing as aforesaid, into the Name of the Trustee who shall be newly appointed, and to pay to him from Time to Time the Dividends thereof; and if One of Two or more such Trustees shall die, or be removed from his Office of Trustee, or become bankrupt or insolvent, it shall be lawful for the Registrar, on the like Application, to direct that the other or others of the Trustees shall transfer such Stock, Annuities, or Funds into the Name of such Person as may have been appointed in his Stead, jointly with the continuing Trustee or Trustees.

Power of Attorney, &c. not liable to Stamp Duty.

XXXVII. No Copy of Rules, nor Power, Warrant, or Letter of Attorney granted by any Person as Trustee of any Society established under this Act or any of the Acts hereby repealed, for the Transfer of any Share in the Public Funds standing in the Name of such Trustee, nor any Order or Receipt for Money contributed to or received from the Funds of any such Society, by any Person liable or entitled to pay or receive the same by virtue of the Rules thereof or of this Act, nor any Bond to be given to or on account of any such Society, or by the Treasurer or any Officer thereof, nor any Draft or Order, nor any Form of Policy, nor any Appointment of any Agent, nor any Certificate or other Instrument for the Revocation of any such Appointment, nor any other Document whatever required or authorized by or in pursuance of this Act or the Rules of any Society, shall be liable to Stamp Duty: Provided, that no Exemption from any of the Duties granted by any Act or Acts relating to Stamp Duties shall be deemed to extend to any Society which shall assure the Payment of Money exceeding Two hundred Pounds, or which shall assure the Payment of any Money on the Death of a Member to any Person, except Executors, Administrators, or Assigns of such Member, or the Husband, Wife, Father, Mother, Child, Brother, Sister, Nephew, or Niece of such Member.

Limitation of Exemptions to Societies not assuring above 200*l.*

No Member to receive more than 200*l.* or 30*l.* a Year from any Number of Societies.

XXXVIII. If any Person shall become a Member of more than One Society, whereby certain Benefits shall accrue on account of the same Kind of Assurance from more than One Society, it shall not be lawful for him, or for any Person entitled through or under him or by reason of his Membership, or for any Number of such Persons in the aggregate, to receive more than Two hundred Pounds, or, in the Case of Annuities,

Annuities, Thirty Pounds a Year, from such Societies collectively; and in any Case where a Person shall so as aforesaid be a Member of more than One Society, and he, or any other Person or Persons, shall be entitled to any Benefit in gross or by way of Annuity from any such Society, he, or (as the Circumstances may require) every such other Person, shall, before he shall receive any such Benefit from any of such Societies, make and sign a Declaration that the total Value of all Benefits accruing or which shall have accrued in respect of any One Kind of Assurance does not exceed the Value of Two hundred Pounds, or, in the Case of Annuities, Thirty Pounds a Year; and it shall be lawful for any Society to require any Member or any other Person who shall be entitled to any such Benefit, before he shall receive the same, to make and sign a Declaration to the same Effect, or that such Member was not, when the Benefit accrued, a Member of any other Association; and if any Person shall knowingly make any false or fraudulent Declaration in any such Case he shall be guilty of Misdemeanor.

Trustees may subscribe to a Hospital or Provident Institution.

XXXIX. The Trustees of any Friendly Society may, out of the Funds thereof, subscribe to any Hospital, Infirmary, Charitable or other Provident Institution, such annual or other Sum as may be agreed upon by the Committee of Management, or by a Majority of the Members at a Meeting called for that Purpose, in consideration of any Member of such Society, his Wife, Child, or other Person nominated, being eligible to receive the Benefits of such Hospital or other Institution, according to the Rules thereof.

As to the Determination of Disputes according to the Rules.

XL. Every Dispute between any Member or Members of any Society established under this Act or any of the Acts hereby repealed, or any Person claiming through or under a Member, or under the Rules of such Society, and the Trustee, Treasurer, or other Officer, or the Committee thereof, shall be decided in manner directed by the Rules of such Society, and the Decision so made shall be binding and conclusive on all Parties, without Appeal: Provided that where the Rules of any Society established under any of the Acts hereby repealed shall have directed Disputes to be referred to Justices, such Disputes shall, from and after the First Day of *August* One thousand eight hundred and fifty-five, be referred to and decided by the County Court as herein-after mentioned.

In what Cases by the County Court.

XLI. In all Friendly Societies established under this Act or any of the said repealed Acts, all Applications for the Removal of any Trustee, or for any other Relief, Order, or Direction, or for the Settlement of Disputes that may arise or may have arisen in any Society the Rules of which do not prescribe any other Mode of settling such Disputes,

Disputes, or to enforce the Decision of any Arbitrators, or to hear or determine any Dispute, if no Arbitrator shall have been appointed or if no Decision shall be made by the said Arbitrators within Forty Days after Application has been made by the Member or Person claiming through or under a Member or under the Rules of the Society, shall be made to the County Court of the District within which the usual or principal Place of Business of the Society shall be situate; and such Court shall, upon the Application of any Person interested in the Matter, entertain such Application, and give such Relief, and make such Orders and Directions in relation to the Matter of such Application, as herein-after mentioned, or as may now be given or made by the Court of Chancery in respect either of its ordinary or its special or statutory Jurisdiction; and the Decision of such County Court upon and in relation to such Application as aforesaid shall not be subject to any Appeal: Provided always, that in *Scotland* the Sheriff within his County, and in *Ireland* the Assistant Barrister within his District, shall have the same Jurisdiction as is hereby given to the Judge of a County Court.

Order of County Court, how enforced.

XLII. In all Cases where the Order of such County Court shall be for the Payment of Money, the same may be enforced in the same Manner as the ordinary Judgments of such Court are enforced; but where the Order of the said Court shall be for the doing of some Act, not being for the Payment of Money, it shall be lawful for the Judge of such County Court in his said Order to order the Party to do such Act, or that in default of his doing it he shall pay a certain Sum of Money; and in case he refuse or neglect to do the Act required, upon Demand in that Behalf, the Sum of Money or Penalty in the said Order may then be recovered in the same Manner as a Judgment for Debt or Damages in such Court; and it shall not be lawful to remove the same by Certiorari or other Writ or Process to any Superior Court of Record.

Lord Chancellor may make Orders for regulating the Proceedings in this respect.

XLIII. Provided, however, That the Lord Chancellor may make such Orders for regulating the Proceedings by and before the Judges of County Courts under this Act as he may think fit; and in *Scotland* the Court of Session shall have the like Power by Act of Sederunt as regards Proceedings before Sheriffs under this Act; and, subject to such Orders and Acts of Sederunt respectively, such Judges and Sheriffs may regulate the Proceedings before them respectively so as to render them as summary and inexpensive as conveniently may be.

In the Case of Societies whose Rules

XLIV. In the Case of any Friendly Society established for any of the Purposes mentioned in Section IX. of this Act, or for any Purpose which

which is not illegal, having written or printed Rules, whose Rules have not been certified by the Registrar, provided a Copy of such Rules shall have been deposited with the Registrar, every Dispute between any Member or Members of such Society, and the Trustees, Treasurer, or other Officer, or the Committee of such Society, shall be decided in manner herein-before provided with respect to Disputes, and the Decision thereof, in the Case of Societies to be established under this Act, and the Sections in this Act provided for such Decision, and also the Section in this Act which enacts a Punishment in case of Fraud or Imposition by an Officer, Member, or Person, shall be applicable to such uncertified Societies: Provided always, that nothing herein contained shall be construed to confer on any such Society whose Rules shall not have been certified by the Registrar, or any of the Members or Officers of such Society, any of the Powers, Exemptions, or Facilities of this Act, save and except as in and by this Section is expressly provided.

are not certified, Disputes between the Society and its own Members to be settled as in Cases of certified Societies.

XLV. The Trustees of Friendly Societies established under this Act or under any of the repealed Acts, or the Officer thereof appointed to prepare Returns, shall, once in every Year, in the Months of *January*, *February*, or *March*, transmit to the Registrar a General Statement of the Funds and Effects of such Society during the past Twelve Months, or a Copy of the last annual Report of such Society, and shall also, within Three Months after the Expiration of the Month of *December* One thousand eight hundred and fifty-five, and so again within Three Months after the Expiration of every Five Years succeeding, transmit to the said Registrar a Return of the Rate or Amount of Sickness and Mortality experienced by such Society within the preceding Five Years, in such Form as shall be prepared by the said Registrar, and an Abstract of the same shall be laid before Parliament; and the Registrar shall also lay before Parliament every Year a Report of his Proceedings, in his Office of Registrar, and of the principal Matters transacted by Friendly Societies which have come under his Cognizance during the past Year.

Returns to the Registrar, when and how to be made.

XLVI. And whereas under the Provisions of the Acts hereby repealed, or some of them, certain Associations or Societies have been formed in *England* and *Ireland* for the provident and charitable Purpose of securing annual Payments to the Nominees of the Members thereof, contingent upon the Death of such Members, and have invested their Funds in the Manner provided by such Acts, and Doubts may arise whether such Associations or Societies will be entitled to the Exemptions and Privileges by this Act conferred in the event of such annual Payments amounting in the aggregate to more

Certain Societies established for granting annual Payments to Nominees before the Year 1850 to have Privileges of this Act.

more than Thirty Pounds; and it is expedient to remove such Doubts, and to give Protection to such Associations or Societies, and to the Funds thereof: Be it therefore enacted, That notwithstanding anything in this Act contained to the contrary, all such Associations or Societies as were founded and subsisting under the Provisions of the said Acts previously to the Fifteenth Day of *August* One thousand eight hundred and fifty, shall enjoy the Exemptions and Privileges by this Act conferred on Societies to be established under the Provisions of this Act as fully as if they had been registered and certified under this Act, and notwithstanding that the contingent annual Payments to which the Nominees of the present or future Members of such Associations or Societies may become entitled shall exceed in the aggregate the Sum of Thirty Pounds.

Extra Contribution may be demanded of a Member serving in the Militia.

XLVII. In any Case where the Rules of any Society already enrolled or certified have provided that a Member shall be deprived of any Benefit by reason of his Enrolment or Service in the Militia, it shall be lawful for the Trustees of such Society to require of any Member a Contribution exceeding the Rate of Contribution hitherto payable by such Member, to an Amount not exceeding One Tenth of such Rate, during the Time such Member shall be serving out of the United Kingdom, or to suspend all Claim of such Member to any Benefits of such Society, and all Claim of the Society to any Contributions payable by such Member, during the Time he may be serving in the Militia out of the United Kingdom, provided that such Suspension shall cease so soon as the said Member shall return to the United Kingdom, and he shall thereupon be replaced on the same Footing as before he went abroad with the Regiment to which he belongs.

Act to apply to Societies constituted under the Industrial and Provident Societies Act, 1852.

XLVIII. All the Provisions of this Act shall apply to all Societies constituted under the Industrial and Provident Societies Act, 1852, in the same Manner as the Laws in force relating to Friendly Societies at the Date of the passing of the said Industrial and Provident Societies Act, 1852, are by the said last-mentioned Act directed to apply to Societies constituted thereunder; and the Limitation hereinbefore contained of the Amount of Annuities and Sums payable on the Death of any Person, or on any other Contingency, in the Case of Societies established under this Act, shall apply to all Societies constituted under the said Industrial and Provident Societies Act, 1852.

Interpretation of "Society."

XLIX. The Word "Society" shall extend to and include every Branch of a Society, by whatever Name it may be designated.

L. This

L. This Act shall extend to *Great Britain* and *Ireland*, and the Channel Isles, and the *Isle of Man*. Extension of Act.

LI. This Act shall commence and take effect from the First Day of *August* One thousand eight hundred and fifty-five. Commencement of Act.

SCHE-

SCHEDULES referred to by the foregoing Act.

FIRST SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
33 Geo. 3. c. 54. - -	An Act for the Encouragement and Relief of Friendly Societies.	The whole Act.
35 Geo. 3. c. 111. -	An Act for more effectually carrying into execution an Act made in the Thirty-third Year of the Reign of His present Majesty, intituled "An Act for the Encou-"ragement and Relief of "Friendly Societies," and for extending so much of the Powers thereof as relates to the framing Rules and Regulations for the better Management of the Funds of such Societies, and the Appointment of Treasurers to other Institutions of a charitable Nature.	The whole Act
36 Geo. 3. c. 68. (Irish)	An Act for the Encouragement and Relief of Friendly Societies.	The whole Act.
43 Geo. 3. c. 111. -	An Act for enabling Friendly Societies intended to be established under an Act passed in the Thirty-third Year of the Reign of His present Majesty to rectify Mistakes made in the Registry of their Rules.	The whole Act.
49 Geo. 3. c. 58. -	An Act to explain and render more effectual an Act passed in the Parliament of Ireland, in the Thirty-sixth Year of His present Majesty's Reign, for the Encouragement and Relief of Friendly Societies.	The whole Act.
49 Geo. 3. c. 125. -	An Act to amend an Act made in the Thirty-third Year of His present Majesty for the Encouragement and Relief of Friendly Societies.	The whole Act.
59 Geo. 3. c. 128. -	An Act for further Protection and Encouragement of Friendly Societies, and for preventing Frauds and Abuses therein.	The whole Act.

Friendly Societies.

Reference to Act.	Title of Act.	Extent of Repeal.
6 Geo. 4. c. 74. - -	An Act for consolidating and amending the Laws relating to Conveyances and Transfers of Estates and Funds vested in Trustees who are Infants, Idiots, Lunatics, or Trustees of unsound Mind, or who cannot be compelled or refuse to act; and also the Laws relating to Stocks and Securities belonging to Infants, Idiots, Lunatics, and Persons of unsound Mind.	So much of Section 11. as relates to Friendly Societies.
10 Geo. 4. c. 56. - -	An Act to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
2 W. 4. c. 37. - -	An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, by extending the Time within which pre-existing Societies must conform to the Provisions of that Act.	The whole Act.
4 & 5 W. 4. c. 40. -	An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
3 & 4 Vict. c. 73. -	An Act to explain and amend the Acts relating to Friendly Societies.	The whole Act.
9 & 10 Vict. c. 27. -	An Act to amend the Laws relating to Friendly Societies.	The whole Act.
13 & 14 Vict. c. 115. -	An Act to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
15 & 16 Vict. c. 65. -	An Act to continue and amend an Act passed in the Fourteenth Year of the Reign of Her present Majesty, to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
16 & 17 Vict. c. 123. -	An Act to amend the Laws relating to the Investments of Friendly Societies.	The whole Act.
17 & 18 Vict. c. 50. -	An Act to continue an Act of the Twelfth Year of Her present Majesty, for amending the Laws relating to Savings Banks in Ireland, and to authorize Friendly Societies to invest the whole of their Funds in Savings Banks.	Section 2.
17 & 18 Vict. c. 101 -	An Act to continue and amend the Acts now in force relating to Friendly Societies.	The whole Act.

SECOND SCHEDULE.

FORM of REGISTRAR'S CERTIFICATE to RULES of FRIENDLY SOCIETIES.

I HEREBY certify, That the foregoing Rules [*or* the Alterations or Amendments of the Rules] of the Society at in the County of are in conformity with Law, [*and in the Case of a new Society*] and that the Society is duly established from the present Date, and is subject to the Provisions and entitled to the Privileges of the Acts relating to Friendly Societies.

The Rates of Contributions and Payments are stated to have been prepared by *A.B.*, Actuary of *or* [*as the Case may be*] are not stated to have been prepared by any Actuary.

THIRD SCHEDULE.

FORM of BOND.

KNOW all Men by these Presents, That we, *A.B.* of Treasurer, *&c.* [*as the Case may be*] of the Society, established at in the County of and *C.D.* of (as Surety on behalf of the said *A.B.*) are jointly and severally held and firmly bound to *A.B.* of *C.D.* of and *E.F.* of the Trustees of the said Society, in the Sum of to be paid to the said *A.B.*, *C.D.*, and *E.F.* as such Trustees, or their Successors, Trustees for the Time being, or their certain Attorney, for which Payment well and truly to be made we jointly and severally bind ourselves, and each of us by himself, our and each of our Heirs, Executors, and Administrators, firmly by these Presents, sealed with our Seals. Dated the Day of in the Year of our Lord

Whereas the above-bounden *A.B.* hath been duly appointed Treasurer, *&c.* [*as the Case may be*] of the Society, established as aforesaid, and he, together with the above-bounden *C.D.* as his Surety, have entered into the above-written Bond, subject to the Condition herein-after contained: Now therefore the Condition of the above-written Bond is such, that if the said *A.B.* shall and do justly and faithfully execute his Office of Treasurer, *&c.* [*as the Case may be*] of the said Society established as aforesaid, and shall and do render a just and true Account of all Monies received and paid by him, and shall and do pay over all the Monies remaining in his Hands, and assign and transfer or deliver all Securities and Effects, Books, Papers, and Property of or belonging to the said Society in his Hands or Custody, to such Person or Persons as the said Society

Society shall appoint, according to the Rules of the said Society, together with the proper or legal Receipts or Vouchers for such Payments, and likewise shall and do in all respects well and truly and faithfully perform and fulfil his Office of Treasurer, *&c.* [*as the Case may be*] to the said Society, according to the Rules thereof, then the above-written Bond shall be void and of no Effect; otherwise shall be and remain in full force and virtue.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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C A P. LXIV.

An Act to settle Annuities on *Emily Harriet* Lady *Raglan* and *Richard Henry Fitzroy* Lord *Raglan*, and the next surviving Heir Male of his Body, in consideration of the eminent Services of the late Field Marshal Lord *Raglan*.

[23d *July* 1855.]

Most Gracious Sovereign,

WHEREAS Your Majesty, by Your most gracious Message, hath been pleased to signify that Your Majesty, taking into consideration the great and brilliant Services performed by the late *Fitzroy James Henry* Lord *Raglan*, Field Marshal in Your Majesty's Army, and Commander-in-Chief of Your Majesty's Forces at the Seat of War in the East, in the course of the Hostilities which have taken place in the *Crimea*, and being desirous, in recognition of these and his other distinguished Merits, to confer some signal Mark of Your Favour upon his Widow *Emily Harriet* Lady *Raglan*, upon his Son and Successor to the Title *Richard Henry* Lord *Raglan*, and the next surviving Heir Male of the Body of the said *Richard Henry* Lord *Raglan*, " recommended to Your faithful Commons the Adoption of such " Measures as might be necessary for the Accomplishment of that

"Purpose:" Therefore we, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, duly considering Your Majesty's gracious Intention, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

An Annuity of 1,000*l.* to be paid to Lady Raglan, and an Annuity of 2,000*l.* to Lord Raglan and his next Heir Male.

I. An Annuity of One thousand Pounds shall be paid to *Emily Harriet* Lady *Raglan*, Widow of the late *Fitzroy James Henry* Lord *Raglan*, for her natural Life, and an Annuity of Two thousand Pounds shall be paid to *Richard Henry Fitzroy* Lord *Raglan* for his natural Life, and after his Decease to the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* who may succeed to the Title of Lord *Raglan*, for the natural Life of such Successor; and the said Annuities shall be deemed to have commenced and taken effect upon the Second Day of *July* One thousand eight hundred and fifty-five, and the First Payment of a proportionate Part thereof respectively for the Period from such Commencement thereof to the Tenth Day of *October* One thousand eight hundred and fifty-five shall be made on the said Tenth Day of *October* One thousand eight hundred and fifty-five; and the said Annuities respectively shall thereafter be paid quarterly on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year; and such Annuities respectively shall be payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, (after paying or reserving sufficient to pay all such Sums of Money as have been directed to be paid out of the same by former Acts of Parliament, but with Preference to all other Payments which shall hereafter be charged upon and payable out of the said Fund,) and the Receipts of the said *Emily Harriet* Lady *Raglan* (as to the said Annuity of One thousand Pounds), and of the said *Richard Henry Fitzroy* Lord *Raglan* and the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* on whom the Title shall descend (as to the said Annuity of Two thousand Pounds), or of such other Person as shall be duly authorized and appointed by the Person for the Time being entitled to such respective Annuity to receive the same, shall be good and sufficient Discharges for the Payments thereof; the said Annuities to be free and clear from all Taxes, Rates, and Assessments, and all other Charges whatsoever, except Income Tax.

II. It

Lady Raglan and Lord Raglan's Annuities.

II. It shall be lawful for the Commissioners of Her Majesty's Treasury, and they are hereby authorized and required, by Warrant or Warrants under their Hands, to direct the Payment of the said Annuities according to the Provision herein-before contained.

Treasury to direct Payment of the Annuity.

III. The said Annuity of Two thousand Pounds shall be vested in the said *Richard Henry Fitzroy* Lord *Raglan* and the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* to whom the said Title of Lord *Raglan* shall descend, and shall not be aliened, charged, or incumbered by the said *Richard Henry Fitzroy* Lord *Raglan* for any greater or larger Estate or Time than during the natural Life of the Person so aliening, conveying, disposing, charging, or incumbering the same, so as to prevent the same from descending to the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* to whom the said Title of Lord *Raglan* shall descend according to the Limitation aforesaid.

Annuity of 2,000*l.* not to be aliened or encumbered.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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C A P. LXV.

An Act to amend the *Dublin* Carriage Acts.

[23d *July* 1855.]

WHEREAS Doubts have arisen with respect to the Construction of the *Dublin* Carriage Act, 1853, and the *Dublin* Amended Carriage Act, 1854, and it is expedient to remove such Doubts, and to amend the said Acts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Enactments of 16 & 17 Vict. c. 112. and 17 & 18 Vict. c. 45. to apply to Cabriolets.

I. That all the Enactments contained in the *Dublin* Carriage Act, 1853, and the *Dublin* Amended Carriage Act, 1854, save in reference to the Sums directed to be paid for Licences and as annual Rents, in anywise relating to the Carriages therein designated as Hackney Carriages, or to the Persons therein designated and referred to as the Proprietors or Drivers thereof, shall be deemed and taken to apply to and include as well the Carriages by the said last-mentioned Act designated as Cabriolets, and the Proprietors and Drivers thereof, as the Carriages thereby designated as Hackney Carriages, and the Proprietors and Drivers thereof, anything in the said last-mentioned Acts to the contrary notwithstanding.

II. The

Acts to be construed together.

II. The said Acts and this Act shall be construed together as One Act.

Short Title.

III. In citing this Act in any other Act of Parliament, legal Instrument, or Proceeding whatever, it shall be sufficient to use the Expression "The *Dublin* Amended Carriage Act, 1855."

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VICTORIÆ REGINÆ.

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Christ Church (Todmorden) Marriages Validity.

Marriages solemnized in Christ Church, Todmorden, declared valid.

I. All Marriages heretofore solemnized in the said Church, and the Publication of Banns in such Church previous to any such Marriage, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Parish Church of *Rochdale*, or in the Church of the ancient Chapelry of *Todmorden*.

Ministers having solemnized Marriages indemnified.

II. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so as aforesaid solemnized the same respectively.

Registers to be Evidence.

III. The Registers of the Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

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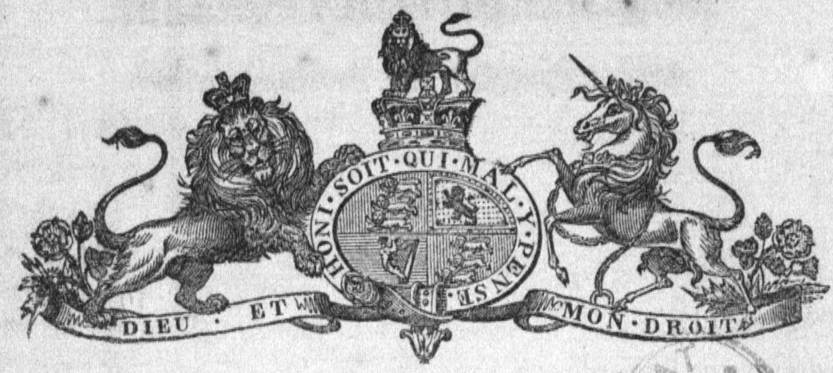

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VICTORIÆ REGINÆ.

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davit of personal Service, may at once sign final Judgment as Form in Schedule B

Jurisdiction of the Court, or an Order for Leave to proceed, as provided by the Common Law Procedure Act, 1852, and a Copy of the Writ of Summons and the Indorsements thereon, in case the Defendant shall not have obtained Leave to appear and have appeared to such Writ according to the Exigency thereof, at once to sign final Judgment in the Form contained in Schedule B. to this Act annexed (on which Judgment no Proceeding in Error shall lie) for any Sum not exceeding the Sum indorsed on the Writ, together with Interest, at the Rate specified (if any), to the Date of the Judgment, and a Sum for Costs to be fixed by the Masters of the Superior Courts or any Three of them, subject to the Approval of the Judges thereof or any Eight of them (of whom the Lord Chief Justices and the Lord Chief Baron shall be Three), unless the Plaintiff claim more than such fixed Sum, in which Case the Costs shall be taxed in the ordinary Way, and the Plaintiff may upon such Judgment issue Execution forthwith.

Defendant showing a Defence upon the Merits to have Leave to appear.

II. A Judge of any of the said Courts shall, upon Application within the Period of Twelve Days from such Service, give Leave to appear to such Writ, and to defend the Action, on the Defendant paying into Court the Sum indorsed on the Writ, or upon Affidavits satisfactory to the Judge, which disclose a legal or equitable Defence, or such Facts as would make it incumbent on the Holder to prove Consideration, or such other Facts as the Judge may deem sufficient to support the Application, and on such Terms as to Security or otherwise as to the Judge may seem fit.

Judge may, under special Circumstances, set aside Judgment.

III After Judgment, the Court or a Judge may, under special Circumstances, set aside the Judgment, and, if necessary, stay or set aside Execution, and may give Leave to appear to the Writ, and to defend the Action, if it shall appear to be reasonable to the Court or Judge so to do, and on such Terms as to the Court or Judge may seem just.

Judge may order Bill to be deposited with Officer of Court in certain Cases.

IV. In any Proceedings under this Act it shall be competent to the Court or a Judge to order the Bill or Note sought to be proceeded upon to be forthwith deposited with an Officer of the Court, and further to order that all Proceedings shall be stayed until the Plaintiff shall have given Security for the Costs thereof.

Remedy for the Recovery of Expenses of noting Nonacceptance of dishonoured Bill.

V. The Holder of every dishonoured Bill of Exchange or Promissory Note shall have the same Remedies for the Recovery of the Expenses incurred in noting the same for Nonacceptance or Nonpayment, or otherwise, by reason of such Dishonour, as he has under this Act for the Recovery of the Amount of such Bill or Note.

VI. The

VI. The Holder of any Bill of Exchange or Promissory Note may, if he think fit, issue One Writ of Summons, according to this Act, against all or any Number of the Parties to such Bill or Note, and such Writ of Summons shall be the Commencement of an Action or Actions against the Parties therein named respectively, and all subsequent Proceedings against such respective Parties shall be in like Manner, so far as may be, as if separate Writs of Summons had been issued.

Holder of Bill of Exchange may issue One Summons against all or any of the Parties to the Bill.

VII. The Provisions of the Common Law Procedure Act, 1852, and the Common Law Procedure Act, 1854, and all Rules made under or by virtue of either of the said Acts, shall, so far as the same are or may be made applicable, extend and apply to all Proceedings to be had or taken under this Act.

Common Law Procedure Acts and Rules incorporated with this Act.

VIII. The Provisions of this Act shall apply, as near as may be, to the Court of Common Pleas at *Lancaster* and the Court of Pleas at *Durham*, and the Judges of such Courts, being Judges of One of the Superior Courts of Common Law at *Westminster*, shall have Power to frame all Rules and Process necessary thereto.

Act to apply to Courts of Common Pleas, Lancaster and Durham.

IX. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act shall apply to all or any Court or Courts of Record in *England* and *Wales*, and within One Month after such Order shall have been made and published in the *London Gazette* such Provisions shall extend and apply in manner directed by such Order, and any such Order may be, in like Manner, from Time to Time altered and annulled; and in and by any such Order Her Majesty may direct by whom any Powers or Duties incident to the Provisions applied under this Act shall and may be exercised with respect to Matters in such Court or Courts, and may make any Orders or Regulations which may be deemed requisite for carrying into operation in such Court or Courts the Provisions so applied.

Her Majesty may direct Act to apply to Courts of Record in England and Wales.

X. Nothing in this Act shall extend to *Ireland* or *Scotland*.

Extent of Act.

XI. In citing this Act in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Summary Procedure on Bills of Exchange Act, 1855."

Short Title.

SCHE-

SCHEDULES referred to in the foregoing Act.

A.

VICTORIA, by the Grace of God, &c.

To *C.D.*, of , in the County of We warn you, That unless within Twelve Days after the Service of this Writ on you, inclusive of the Day of such Service, you obtain Leave from One of the Judges of the Courts at Westminster to appear, and do within that Time appear in Our Court of in an Action at the Suit of *A.B.*, the said *A.B.* may proceed to Judgment and Execution.

Witness, *&c.*

Memorandum to be subscribed on the Writ.

N.B.—This Writ is to be served within Six Calendar Months from the Date hereof, or if renewed, from the Date of such Renewal, including the Day of such Date, and not afterwards.

Indorsement to be made on the Writ before Service thereof.

This Writ was issued by *E.F.*, of , Attorney for the Plaintiff. *Or*, This Writ was issued in Person by *A.B.*, who resides at [*mention the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of the Plaintiff's Residence*].

Indorsement.

The Plaintiff claims [Pounds Principal and Interest], *or* Pounds Balance of Principal and Interest due to him as the Payee [*or* Indorsee] of a Bill of Exchange or Promissory Note, of which the following is a Copy:—

[*Here copy Bill of Exchange or Promissory Note, and all Indorsements upon it*].

And if the Amount thereof be paid to the Plaintiff or his Attorney within Days from the Service hereof, further Proceedings will be stayed.

NOTICE.

Take notice, That if the Defendant do not obtain Leave from One of the Judges of the Courts within Twelve Days after having been served

served with this Writ, inclusive of the Day of such Service, to appear thereto, and do within such Time cause an Appearance to be entered for him in the Court out of which this Writ issues, the Plaintiff will be at liberty at any Time after the Expiration of such Twelve Days to sign final Judgment for any Sum not exceeding the Sum above claimed, and the Sum of Pounds for Costs, and issue Execution for the same.

Leave to appear may be obtained on an Application at the Judges Chambers, Serjeants Inn, London, supported by Affidavit showing that there is a Defence to the Action on the Merits, or that it is reasonable that the Defendant should be allowed to appear in the Action.

Indorsement to be made on the Writ after Service thereof.

This Writ was served by *X.Y.* on *L.M* (the Defendant the Defendants), on *Monday* the Day of 18 ,

By *X.Y.*

B.

In the Queen's Bench.

On the Day of in the Year of our Lord 18 [*Day of signing Judgment*].

ENGLAND (to wit). *A.B.* in his own Person [*or* by his Attorney] sued out a Writ against *C.D.*, indorsed as follows:—

[*Here copy Indorsement of Plaintiff's Claim.*]

and the said *C.D.* has not appeared:

Therefore it is considered that the said *A.B.* recover against the said *C.D.* Pounds, together with Pounds for Costs of Suit.

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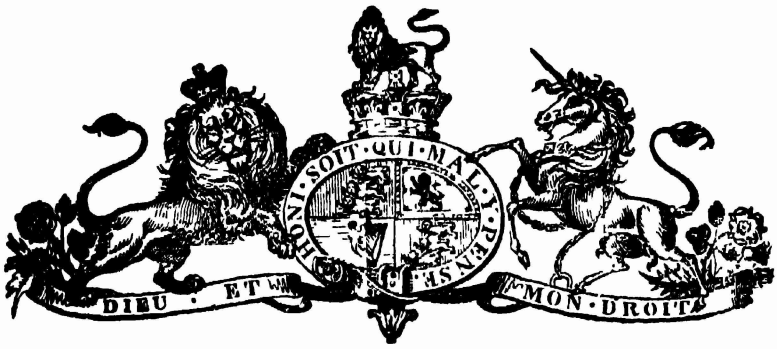

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. LXVIII.

An Act to amend the Laws concerning the Burial of the Dead in *Scotland*. [23d *July* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited as the "Burial Grounds (*Scotland*) Act, 1855." Short Title.

II. In the Execution of this Act in Parishes not within the Limits, prescribed or established under the Act passed in the Session of Parliament held in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act for the Valuation of Lands and Heritages in* Scotland, of any Burgh sending or contributing to send a Member to Parliament, "Parochial Board" shall be held to signify the Parochial Board for the Management of the Poor, where such Parishes are not combined for such Management, and where such Parishes are so combined the Parochial Board under this Act shall signify and be composed of such Members of the combined Board as are assessed for Relief of the Poor either in respect Parochial Board to carry into Execution this Act.

of Occupancy or Ownership within each Parish respectively; and the Manner of holding and of transacting Business at Meetings of such Parochial Boards under this Act shall be similar to the Manner in use in respect of the Management of the Poor; and in Parishes within the aforesaid Limits of any Burgh aforesaid the Town Council of the Burgh shall be held to be the Parochial Board of such Parish under this Act: Provided always, that where, within the aforesaid Limits of any Burgh aforesaid, there is included a Burgh of Regality, the Magistrates of such Burgh of Regality shall, notwithstanding anything herein-before enacted, be held to be the Parochial Board of any Parish within, or forming Part of such Burgh of Regality.

Provision as to Parishes partly burghal.

III. Where any Parish is partly within and partly without the Limits of such Burgh aforesaid, it shall be lawful for the Sheriff of the County within which such Parish or the greater Part thereof is situated, on Application to him by any Two Members of the Parochial Board of such Parish, or by any Ten Persons assessed for Relief of the Poor within such Parish, or by any Two or more Householders residing within One hundred Yards of any Burial Ground or proposed Burial Ground within such Parish, and on giving Notice by Advertisement in the *Edinburgh Gazette* and such Newspapers of local Circulation as he may deem fitting, and hearing any Parties having Interest, to determine whether such Parish shall be held to be a Parish within or without the Limits of the said Burgh for the Purposes of this Act, and an Interlocutor so determining shall receive Effect and be as valid as if the same was set forth in this Act; and it shall not be competent to make any new Application to the Sheriff for his Determination in respect to such Parish till after the Lapse of Five Years from the Date of his last Determination respecting the same.

Proceedings on Complaints of Danger to Health.

IV. It shall be lawful for any Two Members of the Parochial Board of any Parish in *Scotland*, or for any Ten Persons assessed for Relief of the Poor within such Parish, or for any Two Householders residing within One hundred Yards of any Burial Ground or proposed Burial Ground, to present a Petition to the Sheriff of the County within which such Burial Ground or proposed Burial Ground is situated, setting forth that a Burial Ground within such Parish or such Distance is or would be dangerous to Health, or offensive or contrary to Decency, and the Sheriff shall thereupon fix a Day, being not less than Ten nor more than Twenty Days after such Petition is presented, for inquiring into the Allegations contained therein, and shall appoint Intimation thereof to be made by Advertisement in the *Edinburgh Gazette* and in such Newspapers of local Circulation as he shall deem fitting, and on hearing the Petition shall permit all Parties

Parties whom he shall judge to have an Interest to appear and be heard in such Manner as he shall deem fitting, and if on such Hearing he shall be of opinion that any of the aforesaid Allegations are true, he shall pronounce an Interlocutor to such Effect, and shall transmit a Copy thereof to One of Her Majesty's Principal Secretaries of State: Provided that it shall not be competent to present any such Petition to the Sheriff, except with Concurrence of the Procurator Fiscal, till after the Lapse of Five Years from the Date of any Petition to the like Effect having been dismissed.

On Representation of Secretary of State, Her Majesty in Council may restrain the opening of new Burial Grounds, and order Discontinuance of Burials in specified Places.

V. It shall be lawful for Her Majesty, from Time to Time, by Order in Council, upon the Representation of One of Her Principal Secretaries of State that a Copy of such Interlocutor of a Sheriff has been received by him, in pursuance thereof to order that no new Burial Ground shall be opened within certain Limits specified in such Order, save with the previous Approval of One of such Secretaries of State, or (as the Case may require) that after a Time mentioned in the Order Burials within certain Limits, or in certain Burial Grounds or Places of Burial, shall be discontinued wholly, or subject to any Exceptions or Qualifications mentioned in such Order, and such Order in Council shall thereupon have like Force and Effect as if the same were embodied in this Act: Provided always, that Notice of such Representation, and of the Time it shall please Her Majesty to order the same to be taken into consideration by the Privy Council, shall be transmitted to the Crown Agent in *Edinburgh* and the Sheriff Clerk of the County in which such Burial Ground is situated; and the same shall be by them respectively published in the *Edinburgh Gazette*, and fixed on the Doors of the Church of or on some other conspicuous Places within the Parishes affected by such Representation, One Month before such Representation is so considered.

Penalties.

VI. Every Person who shall after the Time mentioned in such Order in Council bury any Body, or in anywise act or assist in or permit the Burial of any Body, in any way contrary to such Order, shall be liable for each such Offence to be imprisoned for any Period not exceeding Two Calendar Months, or to pay a Penalty not exceeding Twenty Pounds.

Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included.

VII. No such Order in Council as aforesaid shall be deemed to extend to any Burial Ground of the People called Quakers, or of the Persons of the Jewish Persuasion, used solely for the Burial of the Bodies of such People and Persons respectively, unless the same be expressly mentioned in such Order, or shall be deemed to extend to any Non-parochial Burial Ground, being the Property of any private Person, unless the same be expressly mentioned in such Order.

VIII. Pro-

Saving of certain Rights to bury in Vaults, &c.

VIII. Provided always, That, notwithstanding any such Order in Council, where at the Time of the passing of this Act any Person shall be entitled to any Right of Interment in or under any Church or Chapel or within any Churchyard or Burial Ground affected by such Order, it shall be lawful for One of Her Majesty's Principal Secretaries of State, from Time to Time, on Application being made to him, and on being satisfied that the Exercise of such Right will not be injurious to Health, to grant Licence for the Exercise of such Right during such Time and subject to such Conditions and Restrictions as such Secretary of State may think fit, but such Licence shall be revocable at any Time, and shall not give to the Holder of such Right, or to any other Party, any other Power than he would have had if this Act had not been passed.

Upon Requisition of Ratepayers or Members of Parochial Board, Meeting of Parochial Board to be convened, to determine whether Burial Ground shall be provided.

IX. Although no Burial Ground in the Parish has been closed by Order in Council, the Inspector of the Poor of any Parish not within Burgh, and the Town Clerk in the Case of any Parish within Burgh, shall be bound, upon the Requisition in Writing of Ten or more Persons assessed for Relief of the Poor of the Parish, or upon the Requisition in Writing of any Two or more Members of the Parochial Board of the Parish, to convene a Special Meeting of the Parochial Board of such Parish, for the Purpose of determining whether a Burial Ground shall be provided under this Act for the Parish; and if a Majority of such Meeting of the Parochial Board shall resolve that a Burial Ground shall be provided under this Act for the Parish, such new Burial Ground shall be provided in the same Manner as if an old Burial Ground had been closed by Order in Council.

When Burial Grounds are closed by Order in Council, Board to provide suitable Burial Grounds, &c.

X. Whenever any Burial Ground shall have been closed by Order in Council, the Parochial Board shall forthwith proceed to provide a suitable and convenient Burial Ground for the Parish, and to make Arrangements for facilitating Interments therein; and in the event of a suitable Burial Ground not being provided by the Parochial Board within Six Months after such Order or Requisition as aforesaid, it shall be lawful for such Board, or for any Ten or more Persons assessed for Relief of the Poor in the Parish, or any Two or more Members of the Parochial Board, to apply by summary Petition to the Sheriff to have a suitable Portion of Land designated for the Purpose of a Burial Ground; and the Sheriff shall examine such Witnesses and make such Inquiry as he shall think proper, and shall keep a Note of such Evidence as may be adduced, and, if he thinks fit, shall thereupon proceed to designate and set apart such Portion as he may deem necessary of any Lands in such Parish suitable for the Purpose, not being Part of any Policy, Pleasure Ground, or Garden attached to any Dwelling House: Provided always,

always, that due Intimation shall have been given of not less than Ten Days to the Owner of such Lands, that he may be heard for his Interest before such Designation is actually made, subject always to an Appeal to any of the Lords Ordinary of the Court of Session, whose Decision shall be final, such Appeal always being presented within Fourteen Days of the Date of the Sheriff's Judgment; and provided also, that no Land shall be so designated nearer than One hundred Yards to any Dwelling House without the Consent in Writing of the Owner of such Dwelling House; and on such Land being so designated the Parochial Board shall proceed to acquire the same in manner herein-after provided.

Consent of Owners of Houses to new Burial Grounds, where necessary.

XI. Any Burial Ground may be provided under this Act either within or without the Limits of the Parish for which the same is provided; but no Ground not already used as or appropriated for a Cemetery shall be appropriated as a Burial Ground, or as an Addition to a Burial Ground, under this Act, nearer than One hundred Yards to any Dwelling House, without the Consent in Writing of the Owner, Lessee, and Occupier of such Dwelling House.

Board may purchase Land for Cemeteries, or contract with Cemetery Companies.

XII. For the providing such Burial Ground, it shall be lawful for the Parochial Board of the Parish to contract for and purchase or take any Lands and Buildings thereon for the Purpose of forming a Burial Ground, or for making Additions to any Burial Ground to be formed or purchased under this Act, as such Board may think fit, or to purchase from any Company or Persons entitled thereto any Cemetery or Cemeteries, or Part or Parts thereof, subject to the Rights in Vaults and Graves and other subsisting Rights which may have been previously granted therein: Provided always, that it shall be lawful for such Board, in lieu of providing any such Burial Ground, to contract with any such Company or Persons entitled as aforesaid for the Interment in such Cemetery or Cemeteries, and either in any allotted Part of such Cemetery or Cemeteries or otherwise, and upon such Terms as the Parochial Board may think fit, of the Bodies of Persons who would have had Rights of Interment in the Burial Grounds of such Parish.

Certain Provisions of 8 & 9 Vict. c. 19. incorporated with this Act.

XIII. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," except the Provisions of that Act "with respect to the Provisions "to be made for affording Access to the Special Act by all Parties "interested," shall be incorporated with this Act; and, for the Purposes of this Act, the Expression "the Promoters of the Undertaking," wherever used in the said "Lands Clauses' Consolidation (*Scotland*) Act, 1845," shall mean any Parochial Board under this Act: Provided always, that the Provisions in the said Act "with "respect to the Purchase and taking of Lands otherwise than by "Agreement" shall have Effect only in respect of such Lands as the

Sheriff of the County shall have designated as fitting for a Burial Ground in manner aforesaid: Provided further, that the Provisions in the said Act "with respect to Lands acquired by the Promoters of the "Undertaking under the Provisions of this or the Special Act, or "any Act incorporated therewith, but which shall not be required "for the Purposes thereof," shall be held to apply only to such Lands or Portions thereof in which no Burial shall have taken place, and such Provisions shall not be restricted in operation to any fixed Period after the Purchase of such Lands.

Parochial Boards may concur in providing a Burial Ground for the common Use of their Parishes.

XIV. The Parochial Boards of any Parishes which shall have respectively resolved to provide Burial Grounds under this Act may concur in providing One Burial Ground for the common Use of such Parishes, in such Manner, not inconsistent with the Provisions of this Act, as they shall mutually agree on, and may agree as to the Proportions in which the Expenses of such Burial Ground shall be borne by such Parishes; and the Proportion of each of such Parishes of such Expenses shall be raised by Assessments in manner after mentioned; and, according and subject to the Terms which shall have been so agreed on, the Parochial Boards for such Parishes respectively shall, for the Purpose of providing and managing such One Burial Ground, and taking and holding Land for the same, act as One joint Board for all such Parishes, and may have a joint Office, Clerk, and Offices, and all the Provisions of this Act shall apply to such joint Board accordingly.

Burial Ground to be the Burial Ground of the Parish or Parishes for which it is provided.

XV. When any Burial Ground shall have been provided in Terms of this Act, such Burial Ground shall, from and after such Time as the Sheriff of the County shall appoint, be deemed the Burial Ground, or Part thereof, of the Parish for which the same is provided; and where the same is provided for Two or more Parishes such Burial Ground shall be in Law as if such Parishes were One Parish, and as if such Burial Ground were the Burial Ground of such One Parish; and the Parishioners and Inhabitants of such Parish, or of each of such Parishes, shall have the same Rights of Sepulture in such Burial Ground as they respectively would have had in the Burial Ground or Burial Grounds in and for their respective Parish, subject to the Provisions herein contained.

Liabilities of old Burial Grounds transferred to new Burial Grounds.

XVI. Where any Burial Ground shall be closed in Terms of this Act, and a new Burial Ground provided in place thereof, the whole Burdens upon, and Liabilities attaching to, the Burial Ground so closed, shall be transferred to, and become Burdens upon, the Burial Ground provided in room thereof; and the Revenues of the new Burial Ground shall be liable for the same, in like Manner as the Revenues of the Burial Ground so closed were liable.

XVII. The

XVII. The general Management, Regulation, and Control of the Burial Grounds provided under this Act shall, subject to the Provisions of this Act and the Regulations to be made thereunder, be vested in and exercised by the respective Parochial Boards providing the same.

Management to be vested in Parochial Boards.

XVIII. Any Parochial Board, under such Restrictions and Conditions as they think proper, may sell the exclusive Right of Burial, either in perpetuity or for a limited Period, in such Parts of any Burial Ground provided by such Board as may with the Sanction of the Sheriff be appropriated to that Purpose, and also the Right of constructing any Chapel, Vault, or Place of Burial, with the exclusive Right of Burial therein in perpetuity or for a limited Period, and also the Right of erecting and placing any Monument, Gravestone, Tablet, or Monumental Inscription in such Burial Ground; provided always, that such exclusive Rights shall not extend in all to a Space greater than One Half of such Burial Ground.

Boards may sell exclusive Rights of Burial, and Right to erect Monuments, &c.

XIX. Any Parochial Board may make such Arrangements as they may from Time to Time think fit for facilitating the Conveyance of the Bodies of the Dead from the Parish or the Place of Death to the Burial Ground which shall be provided under this Act, or to any other Place of Burial, subject to the Provisions of this Act and the Regulations to be made thereunder; and it shall be lawful for any of the aforesaid Cemetery Companies to undertake any such Arrangement, and to carry the same into effect, subject to the Provisions and Regulations as aforesaid.

Boards may make Arrangements for facilitating the Conveyance of Bodies to Burial Grounds.

XX. It shall be lawful for any Parochial Board, subject to the Provisions of this Act and the Regulations to be made thereunder, to hire, take on Lease, or otherwise to provide fit and proper Places in which Bodies may be received and taken care of previously to Interment, and to make Arrangements for the Reception and Care of the Bodies to be deposited therein, and for providing such Places such Boards may exercise the Powers vested in them under this Act for providing Burial Grounds.

Places may be provided for Reception of Bodies until Interment.

XXI. It shall be lawful for One of Her Majesty's Principal Secretaries of State, from Time to Time, to make such Regulations in relation to the Burial Grounds and Places of Reception of Bodies previous to Interment which may be provided under this Act, as to him may seem proper for the Protection of the Public Health and the Maintenance of Public Decency; and the Parochial Boards and all other Persons having the Care of such Burial Grounds and Places for the Reception of Bodies shall conform to and obey such Regulations.

Secretary of State may make Regulations as to Burial Grounds, &c.

XXII. No

Exemption of Burials from Toll.

XXII. No Funeral Procession, or Carriage in such Procession, and no Foot Passenger, shall, while going to or returning from the Place of Interment on the Occasion of any Interment, be liable in any Toll or Pontage.

Board may lay out and embellish Burial Ground.

XXIII. It shall be lawful for any Parochial Board to enclose, lay out, and embellish any Burial Ground provided by such Board in such Manner as may be fitting and proper.

Board to fix Payments for Interments in Burial Ground.

XXIV. Every Parochial Board under this Act shall, subject to the Approval of the Sheriff of the County, fix and receive such Fees and Payments in respect of Interments in any Burial Ground provided by such Board as they shall think fit, and from Time to Time revise and alter such Fees and Payments, and a Table showing such Fees and Payments shall be printed and published, and shall be affixed and at all Times continued on some conspicuous Part of such Burial Ground.

Certain Provisions of 10 & 11 Vict. c. 65. incorporated with this Act.

XXV. The Provisions of "The Cemeteries Clauses Act, 1847," with respect to the Protection of the Cemetery, shall be incorporated with this Act, and be applicable to any Burial Ground provided under this Act, and "the Company" in these Clauses shall signify the Parochial Board under this Act.

Expenses to be paid by Assessments.

XXVI. The Expenses incurred by the Parochial Board of any Parish in carrying this Act into execution, in so far as the Sums received for exclusive Right of Burial or as Fees or other Payments in respect of Interments shall be insufficient, shall be raised by Assessment, to be levied in the same Way as that which may be in force for the Time being for the Relief of the Poor within the Parish; and the Parochial Board shall have like Powers for the levying of such Assessments as Parochial Boards have for the levying of Assessments for the Relief of the Poor.

Power to borrow Money.

XXVII. Provided always, That it shall be lawful for the Parochial Board to borrow any Money required for providing and laying out any Burial Ground under this Act, and to charge the future Assessments under this Act with the Payment of such Money and Interest thereon: Provided that there shall be paid in every Year, in addition to the Interest of the Money borrowed and unpaid, not less than One Twentieth of the Principal Sum borrowed, until the whole is discharged.

The Public Works Loan Commission-

XXVIII. The Commissioners for carrying into execution an Act of the Session of Parliament holden in the Fourteenth and Fifteenth Year

Year of Her Majesty, Chapter Twenty-three, " to authorize for a " further Period the Advance of Money out of the Consolidated " Fund to a limited Amount for carrying on Public Works and Fish- " eries and Employment of the Poor," and any Act or Acts amending or continuing the same, may from Time to Time make to the Parochial Board of any Parish, for the Purposes of this Act, any Loan, under the Provisions of the recited Act or the several Acts therein recited or referred to, upon Security of the Assessments for the Relief of the Poor of the Parish.

ers may advance Money for the Purposes of this Act.

XXIX. Minutes of all Proceedings of the Parochial Board under this Act, with the Names of the Members who attend each Meeting, shall be kept; and the Parochial Board shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid for or on account of the Purposes of this Act in the Parish, and of all Liabilities incurred by them for such Purposes, and of the several Purposes for which such Sums of Money are paid and such Liabilities incurred; and all such Books shall at all reasonable Times be open to the Examination of every Member of the Parochial Board and Ratepayer, without Fee, and they may take Copies of or Extracts from such Books or any Part thereof, without paying for the same.

Minutes of Proceedings of Board to be entered in a Book.

Board to keep Accounts, which shall be open to Inspection.

XXX. The Parochial Board may appoint and may remove, at pleasure, a Clerk and such other Officers and Servants as shall be necessary for the Business of the Board in respect of and for the Purposes of their Burial Ground, and may appoint reasonable Salaries, Wages, and Allowances for such Clerk, Officers, and Servants, and, when necessary, may hire a sufficient Office for transacting their Business.

Board may appoint and remove Officers, &c.

XXXI. All Burials within any Burial Ground provided under this Act shall be registered in a Register Book to be provided by the Parochial Board providing such Ground, and kept for that Purpose; and such Register Book shall be so kept by some Officer appointed by the said Board to that Duty; and in such Register Books shall be distinguished in what Parts of the Burial Ground the several Bodies (the Burials of which are entered in such Register Books) are buried; and in case such Burial Ground has been provided for more than One Parish, such Register shall be kept or indexed so as to facilitate Searches for Entries in such Books in respect of Bodies from the several Parishes; and such Register Books, or Copies or Extracts purporting to be thereof, shall be received in all Courts as Evidence of the Burials entered therein.

Register of Burials to be kept in every Ground provided under this Act.

Registers to be Evidence.

Sheriffs' Decisions to be final.

XXXII. No Interlocutor or Deliverance of a Sheriff under this Act, excepting as herein provided, shall be in any way subject to Review, or to be set aside by reason of any Defect of Form therein or in the Procedure on which it followed.

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Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

***

Navan, the *Dublin and Mullingar*, and the Road branching from same by *Kinnegad* to *Athlone*, and the *Dublin and Carlow*, and to further report upon the Receipt and Expenditure and the Accounts of each Trust aforesaid, and upon the Debts and Charges thereon, and upon the actual Value in each of the last Ten Years of the Debentures and Charges due by the said Trusts respectively, and the Mode of paying off the said Debentures and Charges which should appear to the said Commissioners most just and equitable, and the Proportion thereof which should be charged to the respective Counties or Baronies concerned: And whereas the said Commissioners have since made their Reports to Her Majesty, and have reported in favour of abolishing the Turnpikes on the said Roads, and have recommended that the said Roads should be maintained as the other free Highways of the Counties in which they may be situated, and have offered Suggestions as to the Mode in which the said Turnpike Trusts should be abolished, and the Debentures and Debts due thereon should be valued, apportioned, and discharged: And whereas it is expedient that certain Recommendations of the said Commissioners should be adopted, with Modifications thereof; but such Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Short Title.

I. This Act may be cited for all Purposes as "The *Dublin* and other Roads Turnpikes Abolition Act, 1855."

Interpretation of Terms.

II. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

The Word "Person" shall include Corporation, whether sole or aggregate:

"The Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governor of *Ireland* for the Time being:

"Rents" shall mean any Rents or Annuities secured upon or payable out of the Tolls levied under any of the Acts mentioned in the Schedule (A.) to this Act annexed:

"Rentholder" shall mean any Person entitled to any such Rents:

"Mortgage" shall mean any Security for Monies secured upon the Tolls levied under the Provisions of any of the Acts mentioned in the Schedule (A.) to this Act annexed:

"Mortgagee" shall mean any Person entitled to any such Security:

"Trustees,"

"Trustees," as regards Turnpike Trusts, shall include Commissioners and Directors:

"Barony" shall include Half Barony:

"Officer" shall include Secretary, Treasurer, Clerk, Surveyor, and Toll Collector:

"Road" shall include Bridges and all other Works appertaining to the Road:

"Treasurer of the County" shall, as regards the County of *Dublin*, mean the Finance Committee, or Secretary of the Grand Jury, as the Case may be:

"Half-yearly," when used with reference to Presentments to be made under this Act, shall, as regards the County of *Dublin*, be understood to mean yearly: And

"Assizes," as regards the County of *Dublin*, shall be held to mean Presenting Term.

Appointment of Commissioner for executing the Act.

III. It shall be lawful for the Lord Lieutenant, by Warrant under his Hand, to appoint any fit Person to be the Commissioner for carrying this Act into execution, and upon any Vacancy in the Office of such Commissioner to appoint some other fit Person to such Office, and the said Person so to be from Time to Time appointed shall be the Commissioner for executing this Act, and shall be styled "The *Dublin* Turnpikes Abolition Commissioner."

Authentication of Documents.

To be Evidence.

IV. All Certificates, Awards, or other Instruments made by or proceeding from the Commissioner in pursuance of this Act shall be sufficiently authenticated if under the Hand of the Commissioner, and the same may be in Writing or in Print, or partly in Writing and partly in Print; and all such Certificates, Awards, and other Instruments, or Copies thereof, purporting to be executed by the Commissioner, shall be Evidence that such Certificates, Awards, or other Instruments were duly made and executed, and that all the Requisitions of this Act in relation thereto were complied with, unless the contrary be shown.

Proceedings, &c. of Commissioner to be binding, and not to be removed by Certiorari.

V. All Certificates, Awards, and other Instruments made or executed pursuant to this Act by the Commissioner, and all Proceedings under this Act of such Commissioner, shall be binding and conclusive (except as in this Act otherwise provided) on all Parties thereto, and to all Intents and Purposes whatsoever, and shall not be removed or removable by Certiorari or by any other Writ or Process into any of Her Majesty's Superior Courts at *Dublin*.

Notices may be sent by Post.

VI. All Notices and other Documents by this Act directed to be delivered or given, except such as are to be given by Advertisement, may be sent by Post.

VII. It

Remuneration of Commissioner.

VII. It shall be lawful for the Lord Lieutenant to direct such Sum, not exceeding Two hundred Pounds, as he shall think fit, to be paid to the Commissioner to be appointed under this Act as a Remuneration for his Services in carrying this Act into execution, and in case of a Vacancy in the Office of such Commissioner, to direct a Sum not exceeding the said Sum of Two hundred Pounds to be paid to any other fit Person who shall be appointed to the Office of such Commissioner; and the Remuneration of every such Commissioner shall be provided and paid as Part of the Expenses of carrying this Act into execution: Provided, that if any such Commissioner shall die, be removed, or vacate his Office, before the making of a General Award as by this Act provided, then it shall be lawful for the Lord Lieutenant to direct that such Portion only as to the Lord Lieutenant shall seem just and reasonable of the Remuneration so originally directed to be paid to any Commissioner so dying, being removed, or vacating his Office, shall be paid in respect of the Services of such Commissioner.

Declaration to be taken by Commissioner.

VIII. Every Commissioner appointed under this Act shall, before he enters upon the Execution of his Office, make the following Declaration before One of the Justices of the Court of Queen's Bench or Common Pleas or One of the Barons of the Court of Exchequer, in *Ireland*; that is to say,

'I *A.B.*, do solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, fulfil all the Powers and Duties of the Commission under "The Dublin and other Roads Turnpikes Abolition Act, 1855."'

And the Appointment of every such Commissioner, with the Time when and the Name of the Justice or Baron before whom he shall have made the said Declaration, shall be forthwith published in the *Dublin Gazette*.

Commissioner to carry Act into execution.

Notice to be given of Sittings.

IX. The Commissioner shall proceed, so soon as he conveniently can after the passing of this Act, to sit for the Execution thereof, and before proceeding to inquire into the Affairs of any Trust shall cause Notice to be given of the Day and Time at which he shall determine to hold any Sitting, other than adjourned Sittings, and of the Purpose thereof, by Advertisement to be inserted in some Newspaper circulating in the City of *Dublin*, and in some Newspaper or Newspapers circulating in each of the Counties in which may be situate the Turnpike Trusts in respect of which such Sitting may be intended to be held, Fourteen Days at least before the Time fixed for holding any such Sitting; and the Commissioner shall have Power to adjourn his Sittings from Time to Time and from Place to Place, as may be found necessary.

Sittings may be adjourned.

X. The

X. The Commissioner shall make, so far as he shall deem necessary in order to the Execution of the several Powers and Duties hereby vested in him, full and diligent Inquiry into the Revenue and Debts of each of the several Turnpike Trusts to which the Acts of Parliament in Schedule (A.) to this Act annexed apply, and shall examine and ascertain the Amount and Nature of all Mortgages, Rents, and other Debts to which he shall consider each such Trust to be liable, and shall ascertain all Particulars relating to such Trust which he shall deem essential; and the Commissioner shall require to be produced, and shall examine and compare with the Registries thereof, all Mortgages or other Securities in respect of which any Claims upon the Tolls of such Turnpike Trusts shall be made; and in case it shall appear to the Commissioner, by the Books of such Trust, or by any other Evidence satisfactory to the Commissioner, that any Person is a *bonâ fide* Mortgagee, Rentholder, or Creditor of such Trust, though the Mortgage or Security of such Person may have been lost, mislaid, or destroyed, the Commissioner shall include such Person among the Mortgagees, Rentholders, or Creditors of such Trust in respect thereof.

Commissioner to inquire into Debts, Conditions, &c. of Trusts.

When Securities lost Commissioner may include Holders amongst Creditors.

XI. The Commissioner may, by Summons under his Hand, require the Attendance before him, at a Time and Place to be mentioned in such Summons, of any Trustee or Officer of any of the said Trusts, as well as of any other Person whom he may think fit to examine upon any Question or Matter connected with or relating to the Execution of this Act, and may examine upon Oath any such Trustee, Officer, or Person, and may require the Production of any Books, Accounts, Maps, Acts of Parliament, or other Documents which the Commissioner may consider to relate to any such Question or Matter: Provided always, that no Person shall be obliged by any such Summons to go or travel more than Sixty Miles from the Place of his usual Abode; and the Commissioner may allow to any Witness attending pursuant to any such Summons such Expenses as he may deem reasonable.

Power to summon Witnesses, and to require Production of Documents.

XII. Every Person who, being examined under the Authority of this Act by the Commissioner, shall wilfully and corruptly give false Evidence, shall be deemed guilty of a Misdemeanor; and every Person who, being summoned as aforesaid, shall wilfully refuse or neglect to attend or to give Evidence, and every Person who shall wilfully alter, suppress, conceal, destroy, or refuse to produce any such Books, Accounts, Maps, Acts of Parliament, or other Documents as aforesaid, shall be liable for every such Offence to a Penalty not exceeding Ten Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

As to giving false Evidence, refusing to give Evidence, destroying Documents, &c.

Record of Proceedings.

XIII. The Commissioner shall make a full and particular Record in Writing of such of his Proceedings in execution of this Act as he shall deem essential.

Commissioner to ascertain Mortgages charged on each Trust, and Sums to be payable in respect of such Mortgages.

XIV. So soon as the Commissioner shall have ascertained all such Particulars relating to any such Turnpike Trust as he shall deem essential, he shall proceed to estimate and determine the Sums to be payable in respect of the Mortgages to the Payment of which he shall consider such Trust to be liable, in the Manner next herein-after provided; that is to say, firstly, all Interest which shall be due and unpaid upon such Mortgages upon the Fifth Day of *January* next after the passing of this Act shall be extinguished; secondly, the Sums to be payable in respect of the Mortgages of the several Trust Roads following, namely, the *Dublin and Knocksedan*, the *Dublin by Ashbourne to Slane and Drogheda*, and the *Dublin and Mullingar*, shall be the full Amount of the Principal Monies secured by such Mortgages; thirdly, the Sums to be payable in respect of the Mortgages of the said Trust Road from *Dublin* to *Dunleer* shall be One Twentieth Part of the Principal Monies secured by such Mortgages; fourthly, the Sums to be payable in respect of the Mortgages of the said Trust Road from *Kinnegad* to *Athlone* shall be One Moiety of the Principal Monies secured by such Mortgages; fifthly, the Sums to be payable in respect of the Mortgages or Sums advanced by the Exchequer Loan Commissioners to the Trustees of the said Trust Road from *Dublin* to *Navan* shall be the Sum of Six thousand Pounds, and the Residue of the Principal Monies so advanced, and all other Mortgages upon the said last-mentioned Trust Road, shall be extinguished; and, lastly, no Sum shall be payable in respect of the Mortgages of the said Trust Road from *Dublin* to *Carlow*.

Commissioner to ascertain Rents payable by each Trust.

XV. The Commissioner shall in like Manner ascertain the Nature and Amount of all Rents charged upon and payable out of the Tolls of any such Trust, and all Rents reserved on Leases, and the Sums to be payable in respect of every such Rent shall be an Annuity of the same annual Amount as such Rent, and for the same Term as such Rent may have been made payable: Provided, that when such Rent shall be payable or reserved during the Continuance of any Act or Acts of Parliament, such Rent shall be deemed a perpetual Rent: Provided also, that when the Interest in any such Lease shall be sold under this Act, no Annuity shall be payable in respect of the Rent thereby reserved.

Commissioner to ascertain Debts other than

XVI. The Commissioner shall in like Manner ascertain the Nature and Amount of all Debts, other than Mortgages, to the Payment of which he shall consider each such Trust to be justly and properly liable;

liable; and the Sums to be payable in respect of all such Debts, other than Mortgages, shall be the full Amount of such Debts.

Mortgages due on such Trusts.

XVII. The Sums and Annuities which the Commissioner shall so determine to be payable in respect of any such Turnpike Trust shall be charged upon the Counties and Baronies of the Counties in which the Roads comprised in such Trust are locally situate as next herein-after provided; that is to say, where the whole of the Roads comprised in any such Trust shall be locally situate in One County only, One Half of such Charges and Annuities shall be apportioned to the County (except in the County of *Dublin*), and the other Half to and between the Baronies thereof in which such Roads are situate, in proportion to the Length of such Roads in each such Barony; and where the Roads comprised in any such Trust shall be locally situate in more Counties than One, such Charges and Annuities shall be divided, first between such Counties, by allotting specific Charges and Annuities to each such County as nearly in proportion to the Length of such Roads in each such County as the Number and Amount of such Charges and Annuities will admit, and the specific Charges and Annuities so allotted to each such County shall (except in the County of *Dublin*) be then apportioned between such County and the Baronies thereof as herein-before provided with respect to Trusts locally situate in One County only: Provided, that, as regards the County of *Dublin*, no Portion of such Charges and Annuities shall be apportioned to the said County, but the whole thereof shall be apportioned to and between the Baronies thereof in proportion to the Length of such Roads in each such Barony: Provided also, that when in the Division between such Counties of the Charges and Annuities in respect of any particular Trust any greater Proportion of such Charges and Annuities shall have been allotted to any such County than in the Proportion of such Roads therein, it shall be lawful for the Commissioner to take the same into account in dividing the Charges and Annuities in respect of any other of such Trusts, or in the apportioning of the Costs, Charges, and Expenses herein-after mentioned, so as to make the aggregate of Charges and Annuities upon each such County in respect of such Roads therein locally situate as nearly as possible in the Proportions herein-before provided: Provided also, that when the Sum payable in respect of any specific Mortgage shall be of such Amount that the same cannot be properly allotted in the Manner aforesaid, then it shall be lawful for the Commissioner to divide the same rateably between Counties and Baronies, anything herein contained with regard to allotting specific Sums to each County or Barony to the contrary notwithstanding.

Debts so ascertained to be charged on Counties and Baronies.

Apportionment of Charges and Annuities.

XVIII. The Commissioner shall thereupon make, in the Case of each Turnpike Trust, a separate Award in Writing, and shall specify therein

Award of Commissioner.

therein the Names of all such Persons as he shall have determined to be entitled to any Monies as Mortgagees or Creditors of such Trust, or to any Annuities, together with the Sums of Money or Annuities to which, in the Judgment of the Commissioner, the said Persons shall be respectively entitled, and shall also specify therein the Names of all such Persons as shall have claimed or who shall appear to be Creditors or Mortgagees or Rentholders of such Trust to whom the Commissioner shall have determined to award no Sum, and shall also specify therein the Apportionment which the Commissioner shall have made as aforesaid of the Sums of Money or Annuities payable in respect of such Trust by the Counties or Baronies in which such Trust Roads shall be situate; and the Commissioner shall forthwith deliver a Copy of his Award to the Clerk or other Officer of such Trust, and the said Clerk or other Officer shall, within Three Days from the Delivery of such Award, give Notice in Writing to the several Persons therein named of the Particulars of such Award regarding such Persons respectively.

Notice of Award to be sent to Parties interested.

Awards may be to Representatives of Persons under Disabilities.

XIX. Where any Monies or Annuities shall be due to any Infant, the Award may be made for the Payment of the Sum or Annuity therein specified to the Guardian of such Infant, or if there shall be no Guardian then to any Trustee for such Infant; and if any Monies or Annuities shall be due to a Lunatic or Idiot, then the Award may be made for such Payment to the Committee of such Lunatic or Idiot; and where any Monies or Annuities shall be due to any Person, in trust for others, the Award may be made for such Payment to the Trustee; or in case of the Refusal to act or Incapacity of any such Trustee, or if for any other Cause it shall to the Commissioner appear expedient, then the Commissioner by his said Award or by any Writing under his Hand may appoint another Trustee for the Purpose of receiving such Payment.

Provisions as to Payment of Expenses of Act, &c.

XX. All the Costs, Charges, and Expenses attending or incident to the applying for and obtaining this Act, and the Expenses of the Commissioner in carrying this Act into execution, shall be paid as by this Act provided; and it shall be lawful for all Persons having Claims in respect of such Costs, Charges, and Expenses, at any Time within Twelve Months after the passing of this Act, to deliver to the Commissioner an Account thereof; and it shall be lawful for the Commissioner, if he shall so think fit, to cause the same or any Part thereof to be taxed by the proper Officer or Officers; and the Commissioner shall award to the Persons entitled thereto the Amount of such Accounts, or in case of Taxation the Amount thereof as taxed; and the Commissioner shall keep an Account of all Expenses incurred by him in carrying this Act into execution, and may by his Award certify the Amount thereof; and the Commissioner shall apportion the Sums so awarded

awarded and the Amount of such Expenses so certified between the Counties and the Baronies of the Counties in which the said Turnpike Trusts are situate, as herein provided with respect to Charges for Roads locally situate in more than One County; and the said Awards of the Commissioners shall have the same Force and Effect as any other Awards made in pursuance of this Act: Provided that in dividing between Counties such Sums and Expenses the Commissioner may divide the same rateably, and without allotting specific Sums, anything herein-before contained to the contrary notwithstanding; provided also, that the Sums so awarded, and the said Expenses of the Commissioner, so certified, shall be the First Charge on all Monies applicable to such Purpose which shall come to the Hand of the Commissioner by virtue of this Act, in preference to all other Claims whatsoever.

Commissioner to make a General Award.

XXI. So soon as conveniently may be after the Amount of the Sums and Annuities payable to the several Mortgagees, Creditors, and Rentholders of the Trusts, to which the Acts in Schedule (A.) to this Act apply, shall have been ascertained under this Act so far as the Commissioner may be enabled to ascertain the same, and after the Commissioner shall have ascertained the Amount of the Costs, Charges, and Expenses last aforesaid, and of the Expenses of carrying this Act into execution, and shall have made the several Awards by this Act directed, the Commissioner shall draw up a General Award, which shall specify the specific Sums and Annuities payable to the Mortgagees, Creditors, and Rentholders of the said Trusts allotted by the Commissioner to each County, and the Apportionment of each such specific Sum and Annuity between such County and the Baronies thereof, and in like Manner the Division and Apportionment made by the Commissioner of all Sums payable in respect of such Costs, Charges, and Expenses, and the Persons to whom the said Sums, Annuities, Costs, and Expenses shall be respectively payable, and as regards the said Annuities the said Award shall specify the Terms or Periods during which they shall be respectively payable: Provided always, that the Sums payable in respect of such Costs, Charges, and Expenses, and of all Debts, other than Mortgages and Rents, shall be payable in One Instalment, and not otherwise, and the said Award shall specify that such Sums shall be so payable: Provided also, that in such General Award the Commissioner may make such Alterations in the Divisions and Apportionments made in his previous Awards under this Act as he may deem necessary to render the aggregate of the Charges upon each County and the Baronies thereof as nearly as possible in the Proportion by this Act directed.

Award to be enrolled, &c.

XXII. Such General Award, when executed by the Commissioner, shall be enrolled in the Rolls Office of Her Majesty's Court of

Chancery in *Ireland* within Three Months after the Execution thereof, and a Copy thereof shall be deposited with the Clerk of the Peace of each County in which may be situate any of the said Trusts, and the said Clerk of the Peace is hereby authorized and required to receive and deposit the same amongst the Records of the County; and such Award, when so executed and enrolled, shall be binding and conclusive upon all Persons whomsoever; and a Copy thereof, certified by the proper Officer of Her Majesty's Rolls Office, shall be Evidence that it was duly made, and that all the Requisitions of this Act in relation thereto were complied with.

Commissioner may make Supplemental Awards.

XXIII. In case, after such General Award shall have been so made, any Claims shall be made in respect of Debts, Mortgages, or Rents not included in such General Award, it shall be lawful for the Commissioner to entertain the same, and to make Supplemental Awards in relation thereto, as herein-before provided with respect to the General Award under this Act, which Supplemental Awards shall be considered Amendments of or Additions to such General Award, and shall be enrolled and deposited with the Clerk of the Peace in like Manner, and the Creditors, Mortgagees, and Rentholders included in such Supplemental Awards shall for the Purposes of this Act be considered as included in such General Award.

Grand Juries to present Interest, Annuities, &c.

XXIV. The Sums and Annuities which the Commissioner shall have ascertained by the said General Award to be payable by any such County or any Barony thereof shall be payable by the Grand Jury of such County; and the Commissioner shall certify to the Secretary of such Grand Jury the Amount of such Sums of Money and Annuities, and the Manner by and in which the same are to be payable, pursuant to this Act; and such Grand Jury is hereby empowered and required, without Application at Presentment Sessions, from Time to Time to make Presentment of Interest, from the Fifth Day of *January* next after the passing of this Act, at the Rate of Three Pounds *per Centum per Annum*, upon the Sums payable in respect of the said Mortgages, and of the Amount of the Gales from Time to Time due of such Annuities, and at the Assizes or Presenting Term next after the said Commissioner shall have so certified to present the whole Sums certified to be payable in respect of such Costs, Charges, and Expenses as aforesaid, and also in respect of any Debts, other than Mortgages and Rents, to be raised off the County at large or any Barony thereof, pursuant to the said Certificate; and in default of such Presentment the Court at the Assizes, or in the County of *Dublin* at the Presenting Term, shall order the Amount of such Interest, Gales of Annuity, Costs, Expenses, or Debts, as the Case may be, to be raised off such County or any Barony thereof, and such Order shall have the Force of a Presentment; and the

the Treasurer of such County shall insert the Amount of such Interest, Gales of Annuity, Costs, Expenses, or Debts, as the Case may be, in his Warrants, and the same shall be applotted, raised, and levied as if the same had been duly presented; and when and so soon as the Amount of such Interest, Gales of Annuity, Costs, Expenses, or Debts shall be raised and received by the Treasurer of the County, such Treasurer shall immediately pay the same to the Persons entitled thereto: Provided nevertheless, that nothing in this Act contained shall authorize any Mortgagee to enforce Payment of the Principal Sum due upon and secured by any Mortgage.

Commissioner to give Mortgagees Certificate of Amount due.

XXV. So soon as the said General Award shall have been executed by the Commissioner, he shall cause to be prepared, and shall deliver to every Mortgagee and Rentholder entitled under the said General Award to any Monies or Annuities allotted to any particular County, a Mortgage or Security, setting forth the Principal Sum secured by such Mortgage, and the Rate of Interest payable thereon, or the Annuity to which such Rentholder may be entitled, as the Case may be, and the Counties to which the same have been respectively allotted; and such Mortgage may be in the Form in Schedule (B.) and such Annuity in the Form in Schedule (D.) to this Act annexed: Provided always, that no Mortgage or Security shall be given to any such Mortgagee or Rentholder until he shall have delivered up to the said Commissioner every Mortgage or other Security in his Possession or Power, whereby the Debt or Rent in respect of which such General Award was made may have been secured.

Register to be kept.

XXVI. The Treasurer of the County shall keep a Register of all Mortgages and Securities under this Act affecting the County, and before he shall make any Payment on Foot thereof to the Parties entitled thereto he shall enter in such Register the Number and Date thereof, and the Sums or Annuity therein specified, and the Name and Description of the Party to whom the same is or are payable; and every such Register shall be open to public Inspection during Office Hours at the Office of such Treasurer, without Fee or Reward.

Register of Transfers.

XXVII. Any Mortgagee or Rentholder entitled to any Mortgage or Annuity under this Act may transfer his Estate and Interest therein to any other Person by Deed duly stamped, truly stating his Name, the Date of his Mortgage or Security, the Name and Description of the Parties thereto, and the Consideration for such Transfers; and such Transfer of a Mortgage may be in the Form in Schedule (C.) and such Transfer of an Annuity in the Form in Schedule (E.) to this Act annexed, or to the like Effect, and the Treasurer of the County shall keep a Register of such Transfers; and all such Transfers shall, previous to Payment of any Sum on Foot of the Mortgage or Annuity therein

therein expressed to be transferred, be produced to the Treasurer of the County, and such Treasurer shall, without Fee or Reward, cause an Entry to be made in such Register of its Date, and of the Names and Descriptions of the Parties thereto, as stated in the Transfer; and upon any Transfer being so registered the Transferee, his Heirs, Executors, Administrators, or Assigns, shall be entitled to the full Benefit of the Mortgage or Annuity so transferred; and every such Transferee may in like Manner transfer his Estate and Interest in any such Mortgage.

Payment to be a Discharge.

XXVIII. Payment to the Persons named in the said Certificates, Awards, Mortgages, or Securities respectively, their Heirs, Executors, Administrators, or Assigns respectively, or to the Guardian of any Infant, or to the Committee of any Idiot or Lunatic, shall be a valid and effectual Payment and Discharge of and in respect to the Monies and Annuities by the said Awards directed to be paid; and the Treasurer of the County may pay any such Monies and Annuities to the Persons whom it shall be made to appear to his Satisfaction are the Persons or Bodies beneficially or as Trustees entitled thereto, and notwithstanding any Error or Omission in the said Awards as to the Persons or the Names or Descriptions of the Persons entitled thereto.

Treasurer of County may deposit Sums awarded in the Court of Chancery.

XXIX. If any Trustee entitled to any Money so awarded shall refuse to accept the same, or if it shall appear to the Treasurer of the County that there is no Person to whom Payment thereof can be lawfully made, as herein-before provided, it shall be lawful for the Treasurer to deposit the said Monies in the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to the Credit (under any Description which shall appear to the said Treasurer sufficient) of the Persons entitled thereto, and upon any such Deposit being made the Cashier of the Bank of *Ireland* shall give the said Treasurer a Receipt for such Money, and thereupon the said Treasurer shall be discharged from all further Responsibility or Duty in regard to the Money so deposited; and upon the Application by Petition of any Party making Claim to such Money or any Part thereof, the said Court of Chancery may make such Order in relation thereto as to such Court shall seem fit.

Claims to be extinguished.

XXX. Upon Payment, pursuant to this Act, of the Sums in the said Award mentioned, the Claims of all Persons in respect of the Sums so awarded, and of the Securities or Demands in respect of which such Sums shall have been so awarded, shall be extinguished.

Grand Juries may present for Mortgages.

XXXI. In case any Grand Jury shall be desirous of purchasing, paying off, or redeeming the said Mortgages or Annuities, or any of them,

them, it shall be lawful for any such Grand Jury to present such Sum as shall appear to be necessary for that Purpose, to be apportioned as between the County and the Baronies thereof in the same Proportions as the Mortgages or Annuities intended to be paid off or redeemed shall have been apportioned, and the Amount of such Presentment shall be raised and levied as any other Monies to be presented, raised, and levied by such Grand Jury.

Power to Grand Juries to borrow Money to pay off Mortgages, &c.

XXXII. In case any of the said Grand Juries should be desirous of raising the Amount necessary to purchase, pay off, or redeem the said Mortgages, Annuities, Debts, or any of them, by way of Loan from any Person willing to make Advances of Money for the Purpose, it shall thereupon be lawful for any such Grand Jury at any Assizes, or if in the County of *Dublin* at any Presenting Term, to present such Sum as shall be intended to be raised by Loan in order to obtain such Advance, and to set forth in such Presentment that the said Sum shall be raised and levied by half-yearly Instalments of not less than Ten Pounds *per Centum per Annum*, and likewise to present a Sum sufficient to pay the annual Interest of the Sum so advanced, and of the Balance thereof from Time to Time remaining due, at a Rate not exceeding Six Pounds *per Centum per Annum*, and also to set forth in such Presentment the Proportions thereof as directed by the said Certificate to be raised on the County at large or upon any Barony thereof; and it shall be lawful for any such Grand Jury in every such Presentment to nominate and appoint a Committee of not less than Three or more than Five Persons to treat, agree, and contract for a Loan with any Person willing to make the same on the Security of such Presentment, and otherwise to carry the said Presentment into effect; and every such Presentment may be in the Form in Schedule (F.) to this Act annexed.

Grand Jury to nominate Committee to treat, &c. for a Loan.

Committee to negotiate Loan.

XXXIII. And it shall be lawful for the Committee so nominated and appointed, or any Three or more of them, to treat, agree with, and contract for a Loan with any Person willing to make the same on the Faith of such Presentment, and for the Rate of Interest not exceeding the Limit aforesaid to be paid in respect of such Loan; and the Terms of every such Contract shall be reduced to Writing on a certified Copy of such Presentment, and signed by the said Committee or any Three or more of them, and by the Person advancing such Money, and shall be delivered to such last-mentioned Person, and held by him as a Security for his Loan until the whole Amount thereof, with Interest as therein set forth, shall be fully paid off and discharged.

Loan to be paid to Treasurer.

XXXIV. The Loan shall be paid into the Account and to the Credit of the Treasurer of the County, and accounted for by him in like Manner as any other Monies by him received for the Use of the County,

 and

and all Securities given by him shall extend to such Monies; and the Treasurer, so soon as the said Loan shall have been so paid into his Credit as such Treasurer, shall pay and apply the same to and amongst the Persons entitled to the Sums in respect of which such Loan shall have been made.

Treasurer to insert in Warrants Instalments of Loan.

XXXV. The Treasurer of the County shall, without further Authority or Presentment in that Behalf, issue his Warrant for or include in his general Warrant at each Assizes, or, if in the County of *Dublin*, Presenting Term, such Portion of the whole Sum presented by the Grand Jury as aforesaid, together with such Sum for Interest thereon as may be necessary for the Purpose of paying to the Person so advancing Money the Instalments and Interest thereon as aforesaid, and it shall not be lawful for the Grand Jury to restrain the issuing of any such Warrant; and the Sum inserted in such Warrant shall be raised and levied as other Monies directed by any Warrant of such Treasurer are by Law raised and levied; and such Treasurer shall pay the Person so advancing Money all such Monies as shall be received by him by virtue of the Presentment and Warrants aforesaid, till the whole Loan, with the Interest thereon, shall be paid: Provided always, that all Monies in the Treasurer's Hands shall be applicable to pay the said Instalments of Principal, and the Interest thereon, according to the Terms of any such Loan, and if it shall happen that any Money shall be raised by virtue of any such Presentment which shall not be required for the Purposes for which it shall have been so raised, the same shall be carried to the Credit of the County or Barony from which it shall have been raised.

Grand Juries may redeem Mortgages or Annuities.

XXXVI. So soon as the Amount of the Presentment so made or the Loan so contracted for the Purpose of purchasing, paying off, or redeeming any such Mortgages or Annuities shall have been paid to or received by the Treasurer of the County, he shall apply the same in paying to such Mortgagees the Principal Sum due on Foot of their said Mortgages, or such less Sum as the said Mortgagees may be willing or shall have agreed to accept for their said Mortgages, or in redeeming the said Annuities, upon such Terms as the said Annuitants may be willing to accept: Provided always, that it shall not be lawful to pay the said Annuitants, in redemption of their said Annuities, any greater Sum than at the Rate of One hundred Pounds for every Four Pounds of Annuity.

Redeemed Mortgages or Annuities to be cancelled.

XXXVII. When any such Mortgage or Annuity shall have been paid off or redeemed, the same shall be transferred by the Mortgagee or Annuitant to the Treasurer in the Manner herein provided, and the Deed of Transfer shall express that the same has been transferred to the said Treasurer, in trust for the County, and thereupon the said Mortgage or Annuity shall be extinguished, and the Security therefor shall

shall be cancelled by the Treasurer, and delivered to the Clerk of the Peace, to be kept among the Records of the County, and the said Treasurer shall enter in the said Transfer Book a Memorandum that said Security has been so cancelled and delivered.

Acts named in Schedule (A.) to be repealed. Tolls to cease, and Roads declared public Roads.

XXXVIII. On and after the Fifth Day of *January* next after the passing of this Act, the several Acts set forth in Schedule (A.) to this Act annexed are hereby repealed, and from thenceforth the Trustees appointed by the said Acts shall be discharged from the Execution of the Trusts and Powers thereby vested in them, and the Collection and taking of Tolls upon the Roads in the said Acts comprised shall absolutely cease; and upon and from the said Fifth Day of *January* the said Roads shall be and become and the same are hereby declared to be public Roads of the Counties in which such Roads are respectively situate, and shall be maintained and kept in repair in like Manner and shall be subject to the like Provisions as other public Roads within the said several Counties.

Officers to account, and deliver up Documents, &c.

XXXIX. The Officers employed under the said Acts hereby repealed shall, within Thirty Days after the said Fifth Day of *January*, make up, sign, and balance their Accounts up to the said Fifth Day of *January*, and shall lay the same before the Commissioner, who is hereby authorized to examine such Officers upon Oath as to the Truth of their Accounts, and to accept and receive any Balance that may be due by any such Officer; and every such Officer shall pay or deliver to the Commissioner, or to such Person as he shall direct and appoint to receive the same, all Monies, Balances, Securities, Vouchers, Receipts, Accounts, and other Documents, and also all Materials, Tools, Implements, and other Things in his Possession or Control by virtue of his said Office; and if any such Officer shall neglect or refuse to render such Accounts, or to pay any such Balance, or to deliver to the Commissioner or the Person appointed by him as aforesaid any of the Documents or Things aforesaid in his Possession or Control by virtue of his said Office, such Officer shall for every such Offence be liable to a Penalty not exceeding Ten Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

Penalty for not accounting.

Penalties, &c. how to be recovered.

XL. All Fines or Penalties inflicted or imposed by this Act may be sued for and recovered in a summary Way by the Order and Adjudication of any Justice or Justices of the Peace at Petty Sessions, under and subject to the several Provisions and Regulations relating to summary Jurisdiction contained in "The Petty Sessions (*Ireland*) Act, 1851," and shall be applied in the Manner by the said Act directed.

XLI. Upon

Property of Trusts to vest in Commissioner.

XLI. Upon and from the said Fifth Day of *January* all Lands, Quarries, Tenements, and Hereditaments, and all Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, Lamps, Lamp Posts, Monies, Choses in Action, and all other Property vested in or belonging to the Trustees of the several Roads, for the Purposes of the Trusts thereof, shall vest in the Commissioner for such Estate or Interest as the said Trustees shall have therein; and the said Trustees and their Officers and all other Persons in possession thereof shall surrender the same, and all the Title Deeds, Leases, Contracts, Instruments, or Things relating thereto, to the Commissioner, to be by him applied as by this Act directed.

Trust Property to be sold.

XLII. The Commissioner shall, as soon as conveniently may be after the said Fifth Day of *January*, sell and dispose or authorize the Sale and Disposal of the Estate and Interest in such of the Lands or other Real Property of each of the said Turnpike Trusts so vested in him as shall not be required for the Purposes of the said Roads, and the Rights, Members, and Appurtenances thereof, and of such Personal Property as aforesaid, either by Public Auction or by Private Contract, and either in One Lot or in several Lots, as to him shall seem fit, to such Persons as shall be willing to become the Purchasers thereof or of any Part thereof; and the Commissioner shall have full Power and Authority to enter into all necessary Contracts for Sales, or to rescind or vary the same, and to give full and effectual Discharges for the Purchase Money thereof or any Part thereof, and to execute all necessary Conveyances for vesting the same in the Purchasers thereof, or any Part thereof, for all the Estate or Interest therein which shall be vested in the Commissioner; and the Commissioner shall and he is hereby authorized and required to take down and remove all or any Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, or other Things which shall encroach upon the Roads or any of them, and may, if he thinks fit, take down or remove all or any other Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, or other Things the Property of the said Turnpike Trusts, and may sell and dispose of the Materials thereof in manner aforesaid: Provided always, that before the Commissioner shall sell and dispose of or offer for Sale and Disposal any Piece of Ground not wanted for the Purposes of the Road, he shall offer the same to the Person whose Lands shall adjoin thereto, and if such Person shall thereupon refuse or shall not agree to purchase the same such Land may be sold to any Person who may be willing to become the Purchaser thereof as aforesaid.

Application of Produce of Sales and Balances

XLIII. All Monies to arise from such Sales of the Property of any such Turnpike Trust, after deducting the necessary Expenses thereof, and all Monies to be received from the Trustees or Officers of

of any such Turnpike Trust, shall be applied by the Commissioner in the first instance in discharge of the Costs, Charges, and Expenses of obtaining and carrying into execution this Act; and the several Counties or the Baronies thereof wherein is situate the Turnpike Trust from which such Monies shall have arisen shall be entitled to Credit for the Amount of such Monies so applied, and the Commissioner shall allocate the same accordingly; and the Commissioner shall from Time to Time certify to the Treasurer of any such County the Sum to Credit for which such County or any Barony thereof shall be entitled, and thereupon it shall be lawful for such Grand Jury to deduct from any Presentment to be made and levied off any such County or Barony thereof, under the Provisions of this Act, the Amount to Credit for which such County or Barony shall be so certified to be entitled, and the Balance of all Monies so arising shall in like Manner be so allocated, and shall be paid to the Treasurers of the said Counties, and shall be by the said Treasurers applied in aid of the Presentments to be made under this Act in relation to such Trust.

in Hands of Trustees.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Reference to Act.	Title.
10 G. 4 Chap. 75. (Local and Personal.)	An Act for making and maintaining the Road leading from Dublin through Blessington and Baltinglass to near the Town of Carlow.
10 G. 4. Chap. 63. (Local and Personal.)	An Act for more effectually repairing the Road from Dublin to Dunleer.
11 & 12 Vict. Chap. 107. (Local and Personal.)	The Dublin and Mullingar Turnpike Road Act, 1848.
12 & 13 Vict Chap. 68 (Local and Personal.)	An Act to continue and amend the Powers of an Act for repairing and improving the Roads from Dublin by Ashbourne to Slane and Drogheda.
38 G. 3. Chap. 31. (Ireland.)	An Act for amending the Road from Dublin to Knocksedan in the County of Dublin.
40 G. 3. Chap. 48. (Ireland.)	An Act to amend an Act passed in the Thirty-eighth Year of the Reign of His present Majesty, entituled 'An Act 'for amending the Road from Dublin to Knocksedan in 'the County of Dublin.'
26 G. 3. Chap. 30. (Ireland.)	An Act for making, widening, and repairing the Road leading from the City of Dublin to Malahide, and for erecting Turnpike Gates, and receiving Tolls thereout, in aid of the Barony Presentments, and for appointing Trustees for carrying the said Purposes into execution.
28 G. 3. Chap. 48. (Ireland.)	An Act for extending to the Roads leading from Dublin through Raheny and Clontarf the Provisions of an Act passed in the 26th Year of His present Majesty's Reign, intituled 'An Act for making, widening, and repairing 'the Road leading from Dublin to Malahide, and for 'erecting Turnpike Gates, and receiving Tolls thereout 'in aid of the Barony Presentments, and for appointing Trustees for carrying the said Purposes int 'execution.'
29 G. 3. Chap. 24. (Ireland.)	An Act for rendering more effectual Two several Acts, One passed in the 26th Year of His Majesty's Reign, intituled 'An Act for making, widening, and repairing 'the Road leading from the City of Dublin to Malahide, 'and for erecting Turnpike Gates, and receiving Tolls 'thereout in aid of the Barony Presentments, and for 'appointing Trustees for carrying the said Purposes into 'execution;' and the other Act passed in the 28th Year of His Majesty's Reign, intituled 'An Act for 'extending

'extending to the Roads leading from Dublin through 'Raheny and Clontarf the Provisions of an Act passed 'in the 26th Year of His Majesty's Reign, intituled "An 'Act for making, widening, and repairing the Road lead-'ing from Dublin to Malahide, and for erecting Turnpike 'Gates, and receiving Tolls thereout in aid of the Barony 'Presentments, and for appointing Trustees for carrying 'the said Purposes into execution, and also for continuing 'the said Act."'

31 G. 3. Chap. 50. (Ireland.) An Act for amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, in the said Acts mentioned; and for enabling the Trustees for the said Purposes to borrow further Sums of Money for such Purposes; and for continuing the said Acts for a further Term; and for improving the Neighbourhood of Ballybough Bridge.

32 G. 3. Chap 37. (Ireland.) An Act for enabling the Trustees for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, pursuant to several Acts of Parliament more effectually to carry the said Acts into execution.

33 G. 3. Chap. 26. (Ireland.) An Act for further amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge; and for enabling the Trustees for the said Purposes to borrow a further Sum, to complete a new Communication Eastward of Ballybough Bridge.

38 G. 3. Chap. 41. (Ireland.) An Act for granting certain Tolls, Rates, and Duties to be taken at the Turnpikes on the Road leading over Ballybough and Annesley Bridges, in aid of the Barony Presentments, and in lieu of the Tolls formerly payable at such Turnpikes; and for amending the Laws for making, widening, and repairing the said Roads; and for making perpetual the several Acts of Parliament relating thereto

56 G. 3. Chap. 71. (Local and Personal.) An Act for altering and improving Part of the Turnpike Road leading from the City of Dublin to the New Packet Harbour at Howth, for the Conveyance of His Majesty's Mails, and for amending the several Laws relating to the said Road.

59 G. 3. Chap. 109. (Local and Personal.) An Act for more effectually improving and repairing the Road leading from the City of Dublin to Navan in the County of Meath.

35 G. 3. Chap. 47. (Ireland.) An Act for making, widening, and repairing the Road leading from the City of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony Presentments.

An

37 G. 3 Chap. 29. (Ireland.) An Act for improving and repairing the Roads leading from the City of Dublin to Ratoath and Curragha, and for altering and amending an Act passed in the 35th Year of His present Majesty's Reign, intituled 'An Act 'for making, widening, and repairing the Road leading 'from the City of Dublin to Ratoath, and for erecting 'Turnpikes thereon in aid of Barony Presentments.'

39 G. 3. Chap. 46. (Ireland.) An Act for amending an Act passed in the 37th Year of the Reign of His present Majesty, intituled 'An Act for 'improving and repairing the Roads leading from the 'City of Dublin to Ratoath and Curragha, and for 'altering and amending an Act passed in the 35th Year 'of His present Majesty's Reign, intituled "An Act for 'making, widening, and repairing the Road leading from 'the City of Dublin to Ratoath, and for erecting Turn-'pikes thereon in aid of Barony Presentments."'

30 G. 3. Chap. 46. (Ireland.) An Act for improving and repairing the Turnpike Road leading from Kinnegad to Athlone.

31 G. 3. Chap. 49. (Ireland.) An Act to amend an Act for improving the Turnpike Road leading from Kinnegad to Athlone.

32 G. 3. Chap. 36. (Ireland.) An Act to amend an Act made in the 30th Year of His present Majesty, intituled 'An Act for improving and 'repairing the Turnpike Road leading from Kinnegad to 'Athlone.'

50 G. 3. Chap. 134. (Local and Personal.) An Act to amend an Act passed in the Parliament of Ireland in the 30th Year of His Majesty's Reign, for repairing the Turnpike Road leading from Kinnegad to Athlone.

SCHEDULE (B).

Form of Mortgage.

Mortgage No.

I *A.B.*, the undersigned "Dublin Turnpikes Abolition Commissioner," acting in execution of "The Dublin and other Roads Turnpikes Abolition Act, 1855," do hereby certify that the Sum of £ , with Interest thereon from the Fifth Day of January 1856, at the Rate of Three Pounds per Centum per Annum till paid, has been ascertained by my Award, made in pursuance of the said Act, to be payable in the Manner in said Award specified by the Grand Jury of the County of to *C. D.*, his Executors, Administrators, and Assigns, in respect of certain Mortgages [*or* a certain Mortgage] in said Award specified; and I hereby direct that Interest at the Rate of Three Pounds per Centum per Annum from the Fifth Day of January 1856 on the said Sum of £ shall be paid by the Treasurer of the said County of

of to the said *C.D.*, his Executors, Administrators, and Assigns, till the said Principal Sum shall have been paid.

In witness whereof I the said Commissioner have hereunto set my Hand and Seal, this Day of

A.B. (S.)

SCHEDULE (C.)

Form of Transfer of Mortgage.

I *A.B.* of in consideration of the Sum of £ paid to me by *C.D.* of , do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number , bearing Date the Day of , and made by "the Dublin Turnpikes Abolition Commissioner" for charging and securing the Sum of £ , and Interest thereon from the Fifth Day of January 1856 at the Rate of Three Pounds per Centum per Annum, upon the County of [*or* upon the Barony *or* Baronies of in the County of] and all my Property, Right, and Interest in and to the Money thereby secured.

In witness whereof I have hereunto set my Hand and Seal, this Day of

A. B. (S.)

SCHEDULE (D).

Form of Security for Annuity.

Annuity No.

I *A.B.*, the undersigned "Dublin Turnpikes Abolition Commissioner," acting in execution of "The Dublin and other Roads Turnpikes Abolition Act, 1855," do hereby certify that the annual Sum of £ has been ascertained by my Award, made in pursuance of the said Act, to be payable for in the Manner in said Award specified by the Grand Jury of the County of to *C.D.*, his Heirs and Assigns, in respect of certain Rents in said Award specified; and I hereby direct that the said annual Sum of £ shall be paid by the Treasurer of the said County of to the said *C.D.*, his Heirs and Assigns, by Two even and equal half-yearly Payments on every Day of and Day of in every Year, the first Payment thereof to be made on the Day of next after the Date hereof.

In witness whereof I have hereunto set my Hand and Seal, this Day of

A.B. (S.)

SCHEDULE (E.)

Form of Transfer of Annuity.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of , do hereby transfer to the said *C.D.*, his Heirs and Assigns, a certain Annuity of £ the Certificate of which is Number and bears Date the Day of and was executed by "the Dublin Turnpikes Abolition Commissioner" for charging and securing the said Annuity of £ upon the County of [*or* upon the Barony *or* Baronies of in the County of] and all my Property, Right, and Interest in and to the Annuity thereby secured.

In witness whereof I have hereunto set my Hand and Seal, this Day of

A.B. (S.)

SCHEDULE (F.)

County of } Whereas the Dublin Turnpikes Abolition
to wit } Commissioner, acting in execution of "The Dublin and other Roads Turnpikes Abolition Act, 1855," has, by his Certificate bearing Date the Day of , duly certified to the Grand Jury of the County of that the Sum of £ has, under the Provisions of the said Act, been apportioned upon the said County and the Baronies thereof [*or* upon the Barony *or* Baronies of in the County of] as in the said Certificate mentioned.

Now we the Grand Jury of the said County of duly assembled and sworn at the Assizes held at in and for the said County on the Day of pursuant to the Powers to us in that Behalf given by "The Dublin and other Roads Turnpikes Abolition Act, 1855," do present the Sum of £ in order to enable us to borrow the said Sum from any Person willing to advance the same; and in order to repay the said Sum we do present that the said Sum do be raised and levied as follows:

by half-yearly Instalments of each, the first of said Instalments to be raised after the present Assizes, and the remaining Instalments after the next and each and every successive Assizes, until the whole of the said Sum shall be raised and discharged; and further, in pursuance of the Powers in said Act contained, we do present the Sum of £ to be paid upon the to pay the annual Interest of the said Sum of £ ,

or

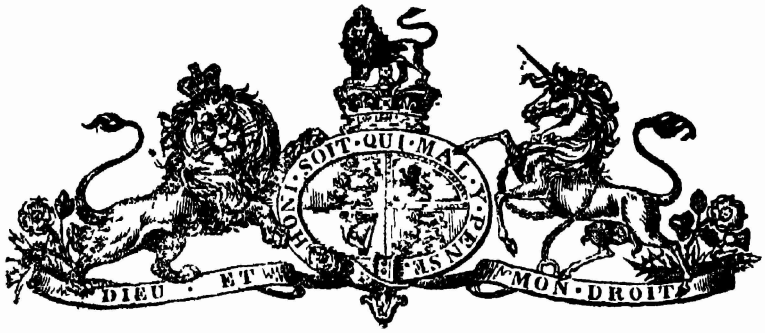
or of such Part of the same as shall from Time to Time remain due, at such Rate, not exceeding Six Pounds per Cent., as may be agreed on, and we present the said Sum of £ to be raised half-yearly in such Sums as may be from Time to Time required to satisfy the Interests of so much of the said Principal Sum as shall be and remain due after the Application of the Sums presented to be levied for its Satisfaction, One of such Sums or Instalments to be raised after the present and every future Assize, and the other after the next and every future Assizes in the next and each succeeding Year until such Principal Sum shall have been paid as aforesaid.

And we nominate and appoint to treat and agree and contract for a Loan with any Person willing to make the same on the Security of this Presentment, and for the Rate of Interest which shall be paid on such Loan, and otherwise to carry this Presentment into effect.

N.B.—In the County of Dublin for Assizes insert Presenting Term, and make the Instalments annual instead of half-yearly.

LONDON:

Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1855.



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

***

Short Title of Act.

II. In citing this Act for any Purposes whatever it shall be sufficient to use the Expression "The Public Libraries Act, 1855."

Interpretation of Terms.

III. In the Construction of this Act the following Words and Expressions shall, unless there be something in the Subject or Context repugnant to such Construction, have the following Meanings assigned to them respectively; that is to say, "Parish" shall mean every Place maintaining its own Poor; "Vestry" shall mean the Inhabitants of the Parish lawfully assembled in Vestry, or for any of the Purposes for which Vestries are holden, except in those Parishes in which there is a Select Vestry elected under the Act of the Fifty-ninth Year of King *George* the Third, Chapter Twelve, or under the Act of the First and Second Years of King William the *Fourth*, Chapter Sixty, or under the Provisions of any Local Act of Parliament for the Government of any Parish by Vestries, in which Parishes it shall mean such Select Vestry, and shall also mean any Body of Persons, by whatever Name distinguished, acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of a Vestry or Select Vestry; "Ratepayers" shall mean all Persons for the Time being assessed to Rates for the Relief of the Poor of the Parish; "Overseers of the Poor" shall mean also any Persons authorized and required to make and collect the Rate for the Relief of the Poor of the Parish, and acting instead of Overseers of the Poor; "Board" shall mean the Commissioners, Trustees, or other Body of Persons, by whatever Name distinguished, for the Time being in Office and acting in the Execution of any Improvement Act, being an Act for draining, cleansing, paving, lighting, watching, or otherwise improving a Place, or for any of those Purposes; "Improvement Rates" shall mean the Rates, Tolls, Rents, Income, and other Monies whatsoever which, under the Provisions of any such Improvement Act, shall be applicable for the general Purposes of such Act.

Town Councils of certain Boroughs may adopt this Act if determined by Inhabitants.

IV. The Mayor of any Municipal Borough the Population of which, according to the then last Census thereof, shall exceed Five thousand Persons, shall, on the Request of the Town Council, convene a Public Meeting of the Burgesses of the Borough, in order to determine whether this Act shall be adopted for the Municipal Borough, and Ten Days Notice at least of the Time, Place, and Object of the Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the Borough, and also by advertising the same in One or more of the Newspapers published or circulated within the Borough, Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of such Persons as aforesaid then present shall determine that this Act ought to be adopted for the Borough, the same shall thenceforth take effect and come into operation in such Borough, and shall be carried into execution in accordance with the Laws for the Time being in force relating to the Municipal Corporation of such Borough: Provided always, that the Mayor, or, in his Absence, the Chairman of the Meeting, shall cause a Minute to be made of the Resolutions

Resolutions of the Meeting, and shall sign the same; and the Resolutions so signed shall be conclusive Evidence that the Meeting was duly convened, and the Vote thereat duly taken, and that the Minute contains a true Account of the Proceedings thereat.

V. The Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in such Borough, may be paid out of the Borough Fund, and the Council may levy by a separate Rate, to be called a Library Rate, to be made and recoverable in the Manner herein-after provided, all Monies from Time to Time necessary for defraying such Expenses; and distinct Accounts shall be kept of the Receipts, Payments, and Liabilities of the Council with reference to the Execution of this Act.

Expenses carrying Act into execution in a Borough to be paid out of the Borough Fund.

VI. The Board of any District, being a Place within the Limits of any Improvement Act, and having such a Population as aforesaid, shall, upon the Requisition in Writing of at least Ten Persons assessed to and paying the Improvement Rate, appoint a Time not less than Ten Days nor more than Twenty Days from the Time of receiving such Requisition for a Public Meeting of the Persons assessed to and paying such Rate in order to determine whether this Act shall be adopted for such District, and Ten Days Notice at least of the Time, Place, and Object of such Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the District, and also by advertising the same in One or more of the Newspapers published or circulated within the District, Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of such Persons as aforesaid then present shall determine that this Act ought to be adopted for the District, the same shall thenceforth take effect, and come into operation in such District, and shall be carried into effect according to the Laws for the Time being in force relating to such Board.

Board of any District within Limits of any Improvement Act may adopt this Act if determined by Inhabitants.

VII. The Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in any such District, shall be paid out of the Improvement Rate, and the Board may levy as Part of the Improvement Rate, or by a separate Rate to be assessed and recovered in like Manner as an Improvement Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expenses; and the Board shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities with reference to the Execution of this Act, which Accounts shall be audited in the same Way as Accounts are directed to be audited under the Improvement Act.

Expenses of carrying Act into execution by Improvement Commissioners to be charged on Improvement Rate.

VIII. Upon the Requisition in Writing of at least Ten Ratepayers of any Parish having such a Population as aforesaid, the Overseers of the Poor shall appoint a Time, not less than Ten Days nor more than Twenty Days from the Time of receiving such Requisition, for a Public

Certain Parishes may adopt this Act, with the Consent of

Two Thirds of the Ratepayers.

a Public Meeting of the Ratepayers in order to determine whether this Act shall be adopted for the Parish; and Ten Days Notice at least of the Time, Place, and Object of the Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the Parish, and also by advertising the same in One or more of the Newspapers published or circulated within the Parish, Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of the Ratepayers then present shall determine that this Act ought to be adopted for such Parish, the same shall come into operation in such Parish, and the Vestry shall forthwith appoint not less than Three nor more than Nine Ratepayers Commissioners for carrying the Act into execution, who shall be a Body Corporate by the Name of "The Commissioners for Public Libraries and Museums for the Parish of in the County of ," and by that Name may sue and be sued, and hold and dispose of Lands, and use a Common Seal: Provided always, that in any Parish where there shall not be a greater Population than Eight thousand Inhabitants by the then last Census, it shall be lawful for any Ten Ratepayers to deliver a Requisition by them signed, and describing their Place of Residence, to the Overseers or One of the Overseers of the said Parish, requiring the Votes of the Ratepayers at such Meeting to be taken according to the Provisions of the Act passed in the Fifty-eighth Year of the Reign of King *George* the Third, Chapter Sixty-nine, and the Votes at such Meeting shall thereupon be taken according to the Provisions of the said last-mentioned Act of Parliament, and not otherwise.

The Vestry to appoint Commissioners for carrying the Act into execution, who shall be a Body Corporate.

One Third of such Commissioners to go out of Office yearly, and others to be appointed, but those retiring may be re-appointed.

IX. At the Termination of every Year (the Year being reckoned from and exclusive of the Day of the First Appointment of Commissioners) a Meeting of the Vestry shall be held, at which Meeting One Third or as nearly as may be One Third of the Commissioners, to be determined by Ballot, shall go out of Office, and the Vestry shall appoint other Commissioners in their Place, but the outgoing Commissioners may be re-elected; and the Vestry shall fill up every Vacancy among the Commissioners, whether occurring by Death, Resignation, or otherwise, as soon as possible after the same occurs.

General and Special Meetings of Commissioners.

X. The Commissioners shall meet at least once in every Calendar Month, and at such other Times as they think fit, at the Public Library or Museum or some other convenient Place; and any One Commissioner may summon a Special Meeting of the Commissioners by giving Three clear Days Notice in Writing to each Commissioner, specifying therein the Purpose for which the Meeting is called; and no Business shall be transacted at any Meeting of the Commissioners unless at least Two Commissioners shall be present.

Minutes of Proceedings of Commissioners to be entered in Books.

XI. All Orders and Proceedings of the Commissioners shall be entered in Books to be kept by them for that Purpose, and shall be signed by the Commissioners or any Two of them; and all such Orders and Proceedings so entered, and purporting to be so signed, shall

shall be deemed to be original Orders and Proceedings, and such Books may be produced and read as Evidence of all such Orders and Proceedings upon any judicial Proceeding whatsoever.

Distinct Accounts to be kept by Commissioners, and duly audited.

XII. The Commissioners shall keep distinct and regular Accounts of their Receipts, Payments, Credits, and Liabilities with reference to the Execution of this Act, which Accounts shall be audited yearly by the Poor Law Auditor, if the Accounts of Poor Rate Expenditure of the Parish be audited by a Poor Law Auditor, but if not so audited, then by Two Auditors not being Commissioners, who shall be yearly appointed by the Vestry, and the Auditor or Auditors shall report thereon, and such Report shall be laid before the Vestry by the Commissioners.

Expenses of executing Act in any Parish to be paid out of Poor Rate.

XIII. The Expenses of calling and holding the Meeting of the Ratepayers, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in any Parish, to such Amount as shall be from Time to Time sanctioned by the Vestry, shall be paid out of a Rate to be made and recovered in like Manner as a Poor Rate, except that every Person occupying Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands or Market Gardens, or Nursery Grounds, shall be rated in respect of the same in the Proportion of One Third Part only of the full net annual Value thereof respectively; the Vestry to be called for the Purpose of sanctioning the Amount shall be convened in the Manner usual in the Parish; the Amount for the Time being proposed to be raised for such Expenses shall be expressed in the Notice convening the Vestry, and shall be paid, according to the Order of the Vestry, to such Person as shall be appointed by the Commissioners to receive the same: Provided always, that in the Notices requiring the Payment of the Rate there shall be stated the Proportion which the Amount to be thereby raised for the Purposes of this Act shall bear to the total Amount of the Rate.

Vestries of Two or more neighbouring Parishes may adopt the Act.

XIV. The Vestries of any Two or more neighbouring Parishes having according to the then last Census an aggregate Population exceeding Five thousand Persons may adopt this Act, in like Manner as if the Population of each of those Parishes according to the then last Census exceeded Five thousand, and may concur in carrying the same into execution in such Parishes for such Time as they shall mutually agree; and such Vestries may decide that a Public Library or Museum, or both, shall be erected in any One of such Parishes, and that the Expenses of carrying this Act into execution with reference to the same shall be borne by such Parishes in such Proportions as such Vestries shall mutually approve; the Proportion for each of such Parishes of such Expenses shall be paid out of the Monies to be raised for the Relief of the Poor of the same respective Parishes accordingly; but no more than Three Commissioners shall be appointed for each Parish; and the Commissioners so appointed for each of such Parishes shall in the Management of the said Public Library

 and

and Museum form One Body of Commissioners, and shall act accordingly in the Execution of this Act; and the Accounts of the Commissioners shall be examined and reported on by the Auditor or Auditors of each of such Parishes; and the surplus Money at the Disposal as aforesaid of such Commissioners shall be paid to the Overseers of such Parishes respectively, in the Proportion in which such Parishes shall be liable to such Expenses.

Rates levied not to exceed One Penny in the Pound.

XV. The Amount of the Rate to be levied in any Borough, District, or Parish in any One Year for the Purposes of this Act shall not exceed the Sum of One Penny in the Pound; and for the Purposes of the Library Rate all the Clauses of the Towns Improvement Clauses Act, 1847, with respect to the Manner of making Rates, to the Appeal to be made against any Rate, and to the Recovery of Rates, shall be incorporated with this Act; and whenever the Words "Special Act" occur in the Act so incorporated they shall mean "The Public Libraries Act, 1855;" the Accounts of the said Board and Commissioners respectively with reference to the Execution of this Act shall at all reasonable Times be open, without Charge, to the Inspection of every Person rated to the Improvement Rate or to the Rates for the Relief of the Poor of the Parish, as the Case may be, who may make Copies of or Extracts from such Accounts, without paying for the same; and in case the Board or the Commissioners, or any of them respectively, or any of their respective Officers or Servants having the Custody of such Accounts, shall not permit the same Accounts to be inspected, or Copies of or Extracts from the same to be made, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Accounts of Board and Commissioners to be open to Inspection.

Power to Council, &c. to borrow on Mortgage.

XVI. For carrying this Act into execution the Council, Board, or Commissioners respectively may, with the Approval of Her Majesty's Treasury, (and as to the Commissioners, with the Sanction also of the Vestry and the Poor Law Board,) from Time to Time borrow at Interest, on the Security of a Mortgage or Bond of the Borough Fund, or of the Rates levied in pursuance of this Act, such Sums of Money as may be by them respectively required; and the Commissioners for carrying into execution the Act of the Ninth and Tenth Years of Her Majesty, Chapter Eighty, may from Time to Time advance and lend any such Sums of Money.

Provisions of 8 & 9 Vict. c. 16. as to borrowing, extended to this Act.

XVII. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money on Mortgage or Bond, and the Accountability of Officers, and the Recovery of Damages and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be respectively incorporated with this Act.

Lands, &c. may be appropriated, purchased, or

XVIII. The Council of any Borough and the Board of any District respectively may from Time to Time, with the Approval of Her Majesty's Treasury, appropriate for the Purposes of this Act any

any Lands vested, as the Case may be, in a Borough, in the Mayor, Aldermen, and Burgesses, and in a District in the Board; and the Council, Board, and Commissioners respectively may also, with such Approval, purchase or rent any Lands or any suitable Buildings; and the Council and Board and Commissioners respectively may, upon any Lands so appropriated, purchased, or rented respectively, erect any Buildings suitable for Public Libraries or Museums, or both, or for Schools for Science or Art, and may apply, take down, alter, and extend any Buildings for such Purposes, and rebuild, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

rented for the Purposes of this Act.

XIX. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act; but the Council, Board, and Commissioners respectively shall not purchase or take any Lands otherwise than by Agreement.

Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

XX. The Council, Board, and Commissioners aforesaid respectively may, with the like Approval as is required for the Purchase of Lands, sell any Lands vested in the Mayor, Aldermen, and Burgesses, or Board, or Commissioners respectively, for the Purposes of this Act, or exchange the same for any Lands better adapted for the Purposes; and the Monies to arise from such Sale, or to be received for Equality of Exchange, or a sufficient Part thereof, shall be applied in or towards the Purchase of other Lands better adapted for such Purposes.

Lands, &c. may be sold or exchanged.

XXI. The general Management, Regulation, and Control of such Libraries and Museums, Schools for Science and Art, shall be, as to any Borough, vested in and exercised by the Council, and as to any District in and by the Board, and as to any Parish or Parishes in and by the Commissioners, or such Committee as such Council or Board may from Time to Time appoint, the Members whereof need not be Members of the Council or Board or be Commissioners, who may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Newspapers, Maps, and Specimens of Art and Science, for the Use of the Library or Museum, or School, and cause the same to be bound or repaired when necessary, and appoint salaried Officers and Servants, and dismiss the same, and make Rules and Regulations for the Safety and Use of the Libraries and Museums, and Schools, and for the Admission of the Public.

General Management to be vested in Council, Board, or Commissioners.

XXII. The Lands and Buildings so to be appropriated, purchased, or rented as aforesaid, and all other Real and Personal Property whatever presented to or purchased for any Library or Museum established under this Act, or School, shall be vested, in the Case of a Borough, in the Mayor, Aldermen, and Burgesses, in the Case of a Dis-

Property of Library, &c. to be vested in Council, Board, and Commissioners respectively.

a District in the Board, and in the Case of a Parish or Parishes in the Commissioners.

If any Meeting determine against Adoption of Act, no other Meeting to be called for a Year.

XXIII. If any Meeting called as aforesaid to determine as to the Adoption of this Act for any Borough, District, or Parish shall determine against the Adoption, no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting.

Act may be adopted in the City of London if Two Thirds of Persons rated to the Consolidated Rate, assembled at a Public Meeting, assent.

XXIV. The Lord Mayor of the City of *London* shall, on the Request of the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, convene a Public Meeting in manner herein-before mentioned of all Persons rated and assessed to the Consolidated Rate in the City of *London*, in order to determine whether this Act shall be adopted in the said City; and if at such Meeting Two Thirds of such Persons then present shall determine that this Act ought to be adopted for the City of *London*, the same shall thenceforth take effect and come into operation in the City of *London*, and shall be carried into execution in accordance with the Laws for the Time being in force relating to the City of *London:* Provided always, that the Resolution of such Public Meeting, signed by the Lord Mayor, shall be reported to the said Lord Mayor, Aldermen, and Commons, in Common Council assembled, and entered on the Minutes thereof, and that such Entry shall be Evidence; the Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in the City of *London*, shall be paid out of the Consolidated Rate, and the Commissioners of Sewers of the City of *London* may levy a Part of the Consolidated Rate, or, by a separate Rate, to be assessed and recovered in like Manner as the Consolidated Rate, all Monies from Time to Time necessary for defraying such Expenses, and distinct Accounts shall be kept of the Receipts, Payments, and Liabilities of the said Lord Mayor, Aldermen, and Commons with reference to the Execution of the Act.

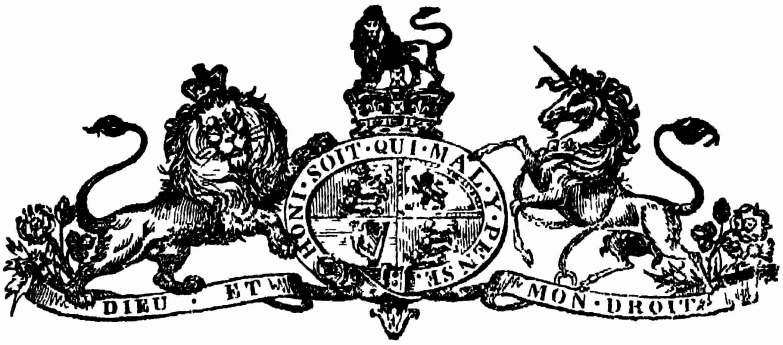
Museums to be free.

XXV. The Admission to all Libraries and Museums established under this Act shall be open to the Public free of all Charge.

Extent of Act.

XXVI. This Act shall not extend to *Ireland* or *Scotland*.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

****

CAP. LXXI.

An Act to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of *Antigua*, *Nevis*, and *Montserrat*.

[30th *July* 1855.]

WHEREAS by an Act passed in the Session holden in the Sixth and Seventh Years of Her Majesty, Chapter Sixty-three, ("for granting Relief to the Islands of *Antigua*, *Saint Kitts*, *Nevis*, *Dominica*, and *Montserrat*,") the Commissioners of Her Majesty's Treasury were authorized in manner therein mentioned to lend Exchequer Bills, for any Sum not exceeding One hundred thousand Pounds for the Service of the Island of *Antigua*, and any Sums not exceeding in the whole Fifty thousand Pounds for the Service of the Islands of *Saint Kitts*, *Nevis*, *Dominica*, and *Montserrat*, on the Credit of the Revenues and Public Property of the said Islands respectively, as soon as the said Commissioners should be satisfied that Repayment of the several Sums to be advanced (with Interest thereon, at the yearly Rate of Four Pounds by the Hundred,) was duly secured to the Satisfaction of the said Commissioners by some Act or Acts passed or to be passed by the several Legislatures of the said Islands respectively: 6 & 7 Vict. c. 63.

tively: And whereas the Commissioners of Her Majesty's Treasury accordingly advanced the Sum of One hundred thousand Pounds to the Island of *Antigua*, the Sum of Twelve thousand Pounds to the Island of *Nevis*, and the Sum of Twenty-three thousand Pounds to the Island of *Montserrat*, the Repayment of such several Sums, with Interest, having been secured by the Legislatures of the said respective Islands, as required by the said Act, and out of the Sums so advanced Advances were made under the Authority of the said respective Legislatures, to Persons who had suffered Losses by the Earthquakes in the said Islands: And whereas under the Circumstances of the said Islands the Payment of some of the Instalments of the Principal Money remaining due on the Securities given by the said Legislatures has been suspended: And whereas it is expedient that the Commissioners of the Treasury should be empowered to extend the Time for the Repayment of the Principal Monies remaining owing on the said Securities, and to reduce the Interest payable thereunder as herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury authorized to extend the Time of Repayment of Loans to Antigua, Nevis, and Montserrat, and to reduce Interest to 3*l.* 5*s.* per Cent.;

I. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant such Extension of the Period for Payment of the Principal Monies owing by the said Islands of *Antigua*, *Nevis*, and *Montserrat* respectively in respect of the said Loans, and to accept Payment thereof by such Instalments and at such Times as the said Commissioners in their Discretion may think proper and fix in the Case of each of the said Islands, and to accept Interest upon the Principal Monies remaining unpaid after the yearly Rate of Three Pounds Five Shillings *per Centum* instead of the said yearly Rate of Four Pounds *per Centum*, upon being satisfied that Acts have been passed by the Legislatures of such Islands respectively for securing on the Credit of the Revenue or public Property thereof the punctual Payment of the Instalments of Principal Monies, with Interest as aforesaid, at the Times and in manner fixed by the said Commissioners, and also for securing to the Persons indebted in respect of the Advances made out of the said Loans to the Sufferers in the said Islands Advantages corresponding with those granted to such Legislatures under this Act.

corresponding Advantages being secured to the private Borrowers.

In case of Default of Payment at the Times fixed under this Act, the Rate of Interest

II. Provided always, That in case of Default in Payment of any of the Instalments of Principal Monies which may become payable from any of the said Islands under such Extension of Time, or of the said reduced Interest, at the Times fixed by the said Commissioners of the Treasury, it shall be lawful for such Commissioners to

to require from the Island so in default Payment of Interest at the yearly Rate of Four Pounds *per Centum* on the Principal Monies remaining due, and also Payment of such Principal Monies by such Instalments as were made payable by the Securities originally given by the Legislature of such Island; and such Interest and Instalments of Principal Monies which may be so required to be paid shall thereupon become payable accordingly.

and Instalments originally agreed upon may be required.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. LXXII.

An Act for legalizing and preserving the restored Standards of Weights and Measures.

[30th *July* 1855.]

WHEREAS by an Act of the Fifth Year of the Reign of King *George* the Fourth, Chapter Seventy-four, "for "ascertaining and establishing Uniformity of Weights and "Measures," it was enacted, that from and after the First Day of *May* One thousand eight hundred and twenty-five the straight Line or Distance between the Centres of the Two Points in the Gold Studs in a certain straight Brass Rod then in the Custody of the Clerk of the House of Commons should be the original and genuine Standard of that Measure of Length or lineal Extension called a Yard, and that the same straight Line or Distance between the Centres of the said Two Points in the said Gold Studs in the said Brass Rod, the Brass being at the Temperature of Sixty-two Degrees by Fahrenheit's Thermometer, should be the "Imperial Standard Yard;" and that from and after the First Day of *May* One thousand eight hundred and twenty-five the Standard Brass Weight of One Pound Troy Weight made in the Year One thousand seven hundred and fifty-eight, then in the Custody of the Clerk of the House of Commons, should be and the same was thereby declared to be the original and genuine Standard Measure of Weight, and that such Brass Weight should be the "Imperial Standard Troy Pound," and should be and the same was thereby declared to be the Unit or only Standard Measure of Weight from which all other Weights should be derived, computed, 5 G. 4. c.

and

and ascertained, and that One Twelfth Part of the said Troy Pound should be an Ounce, and that One Twentieth Part of such Ounce should be a Pennyweight, and that One Twenty-fourth Part of such Pennyweight should be a Grain, so that Five thousand seven hundred and sixty such Grains should be a Troy Pound, and that Seven thousand such Grains should be and they were thereby declared to be a Pound Avoirdupois: And whereas by the said Act Provision was made for restoring the said Imperial Standard Yard and the said Imperial Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, by Reference to the Length of a Pendulum and to the Weight of a Cubic Inch of Water respectively: And whereas the said Imperial Standard Yard and Standard Pound Troy were destroyed in the Fire at the Houses of Parliament: And whereas by the Researches of scientific Men Doubts were thrown on the Accuracy of the Methods provided by the said Act for the Restoration of the said Standards: And whereas there exist Bars and Weights which had been accurately compared with the said Standard Yard and Standard Pound Troy so destroyed as aforesaid, which afforded sufficient Means for restoring such original Standards: And whereas scientific Men acting for that Purpose under the Direction of the Commissioners of Her Majesty's Treasury have constructed a Standard of Length equivalent to the Imperial Standard Yard so destroyed, and Four accurate Copies of the Standard so constructed, and it having been deemed expedient that the Standard for Reference as a Measure of Weight should be a Pound Avoirdupois, there has been constructed in like Manner a Pound Weight Avoirdupois equivalent to the Pound Avoirdupois of Seven thousand such Grains as are mentioned in the said recited Act, and Four accurate Copies of the said Pound Avoirdupois so constructed: And whereas the Form adopted for the Standard of Length and for all the Copies thereof is that of a solid square Bar Thirty-eight Inches long and One Inch square in transverse Section, the Bar being of Bronze or Gun Metal; near to each End a cylindrical Hole is sunk (the Distance between the Centres of the Two Holes being Thirty-six Inches) to the Depth of Half an Inch; at the Bottom of this Hole is inserted in a smaller Hole a Gold Plug or Pin about One Tenth of an Inch in Diameter, and upon the Surface of this Pin there are cut Three fine Lines at Intervals of about the One Hundredth Part of an Inch transverse to the Axis of the Bar, and Two Lines at nearly the same Interval parallel to the Axis of the Bar; the Measure of Length is given by the Interval between the Middle transversal Line at one End and the Middle transversal Line at the other End, the Part of each Line which is employed being the Point Midway between the longitudinal Lines; and the said Points are herein referred to as the Centres of the said Gold Plugs or Pins: And whereas the Standard Pound Avoirdupois so constructed as aforesaid, and the Copies thereof, are of Platinum, the Form being that of a Cylinder nearly 1·35 Inch in Height and 1·15 Inch in Diameter, with a Groove or Channel round it whose Middle is about 0·34 Inch

0·34 Inch below the Top of the Cylinder, for Insertion of the Points of the Ivory Fork by which it is to be lifted; the Edges are carefully rounded off: And whereas the Standard of Length so constructed as aforesaid, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, "Zinc 1. Mr. Baily's Metal. No. 1. Standard Yard at 62°·00 "Fahrenheit. Cast in 1845. Troughton & Simms, London," and the said Standard of Weight marked P.S. 1844, 1 lb., have respectively been deposited in the Office of the Exchequer at *Westminster*, and One of the said Copies of the said Standard of Length. the Bronze Bar, being marked "Copper 16 oz., Tin 2½, Zinc 1. Mr. Baily's "Metal. No. 2. Standard Yard at 61°·94 Fahrenheit. Cast in 1845. "Troughton & Simms, London," and One of the said Copies of the Standard of Weight marked No. 1, P.C. 1844, 1 lb., have been deposited at the Royal Mint; and One other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper "16 oz., Tin 2½, Zinc 1. Mr. Baily's Metal. No. 3. Standard Yard "at 62°·10 Fahrenheit. Cast in 1845. Troughton and Simms, Lon-"don," and One other of the said Copies of the Standard of Weight marked No. 2. P.C. 1844, 1 lb., have been delivered to the Royal Society of *London*; and One other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, "Zinc 1. Mr. Baily's Metal. No. 5. Standard Yard at 62°·16 "Fahrenheit. Cast in 1845. Troughton & Simms, London," and One other of the said Copies of the Standard of Weight marked No. 3., P.C. 1844, 1 lb., have been deposited in the Royal Observatory of *Greenwich*; and the other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, 'Zinc 1. Mr. Baily's Metal. No. 4. Standard Yard at 61°·98 "Fahrenheit. Cast in 1845. Troughton & Simms, London," and the other of the said Copies of the Standard of Weight marked No. 4. P.C. 1844, 1 lb., have been immured in the Cill of the Recess on the East Side of the lower Waiting Hall in the New Palace at *Westminster*: And whereas it is expedient to legalize the Standards so constructed and to provide for the Preservation thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions concerning the Restoration of the Standards by Reference to the Pendulum, &c., 5 G. 4. c. 74. ss. 3. & 5., repealed.

I. So much of the said Act of the Fifth Year of King *George* the Fourth as relates to the Restoration of the Imperial Standard Yard and of the Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, shall be repealed.

Restored Standard Yard established.

II. The straight Line or Distance between the Centres of the Two Gold Plugs or Pins in the Bronze Bar deposited in the Office of the Exchequer as aforesaid shall be the genuine Standard of that Measure of Length called a Yard, and the said straight Line or Distance between the Centres of the said Gold Plugs or Pins in the said Bronze Bar (the Bronze being at the Temperature of Sixty-two Degrees

Degrees by *Fahrenheit*'s Thermometer) shall be and be deemed to be the Imperial Standard Yard.

Standard Pound Avoirdupois.

III. The said Weight of Platinum marked P.S. 1844, 1 lb., deposited in the Office of the Exchequer as aforesaid, shall be the legal and genuine Standard Measure of Weight, and shall be and be denominated the Imperial Standard Pound Avoirdupois, and shall be deemed to be the only Standard Measure of Weight from which all other Weights and other Measures having Reference to Weight shall be derived, computed, and ascertained, and One equal Seven Thousandth Part of such Pound Avoirdupois shall be a Grain, and Five thousand seven hundred and sixty such Grains shall be and be deemed to be a Pound Troy.

Provisions of 5 G. 4. c. 74. not hereby repealed, &c. to remain in force.

IV. All the Provisions of the said Act of the Fifth Year of King *George* the Fourth now in force, and not hereby repealed, and all other Enactments now in force in relation to Weights and Measures, shall continue in force and be applicable to the Standards of Weight and Measure hereby established, as if the same Standards had been established by the said Act of King *George* the Fourth instead of the Standard Yard and Standard Pound Troy so destroyed as aforesaid, and as if the Pound Troy of Five thousand seven hundred and sixty Grains had been established as a derivative Standard computed with Reference to the Pound Avoirdupois.

Copies of the Old Standards to continue to be legal.

V. All Weights and Measures, and Copies of Weights and Measures, which have been compared and verified or authenticated according to Law as Copies of the Imperial Standard Weights and Measures, shall remain and be legal Weights and Measures for the same Time, for the same Purposes, and in like Manner as if this Act had not been passed.

VI. All Weights and Measures which shall be hereafter verified and authenticated by Comparison with the said Imperial Standards of Weight and Measure, in such Manner as Her Majesty shall by any Orders in Council from Time to Time direct and appoint, shall be deemed and taken to be legal Secondary Weights and Measures.

Provision for Restoration of Standards in case of Loss, &c.

VII. If at any Time hereafter the said Imperial Standard Yard and Standard Pound Avoirdupois respectively, or either of them, be lost, or in any Manner destroyed, defaced, or otherwise injured, the Commissioners of Her Majesty's Treasury may cause the same to be restored by Reference to or Adoption of any of the Copies so deposited as aforesaid, or such of them as may remain available for that Purpose.

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CAP. LXXIII.

An Act to extend the Period for applying for a Sale under the Acts for facilitating the Sale and Transfer of Incumbered Estates in *Ireland*.

[30th *July* 1855.]

WHEREAS an Act was passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled *An Act further to facilitate the Sale and Transfer of Incumbered Estates in* Ireland: 12 & c. 77.
And whereas a certain other Act was passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, intituled *An Act to continue the Powers of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer of Incumbered Estates in* Ireland: 15 & 16 Vict. c. 67.
And whereas a certain other Act was passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act for continuing and amending the Act for facilitating the Sale and Transfer of Incumbered Estates in* Ireland: 16 & 17 Vict. c. 64.
And whereas the extended Period within which such Applications under said Acts as are mentioned in Section Eleven of said lastly-recited Act might be made was limited to Two Years from the Twenty-eighth Day of *July* One thousand eight hundred and fifty-

 three:

three: And whereas it is expedient that said Period should be further extended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: All such Applications under the said recited Acts or any of them as are mentioned in Section Eleven of the said lastly-recited Act, and which are by said Section authorized to be made within Two Years from the Twenty-eighth Day of *July* One thousand eight hundred and fifty-three, may be made within Three Years from the said Twenty-eighth Day of *July* One thousand eight hundred and fifty-three; and all Orders and Proceedings by the said Acts or any of them authorized, and which might be made, had, or taken upon any Application made within the said Period of Two Years, may be made, had, and taken within the further Period authorized by this Act

Period for Applications for Sale further extended.

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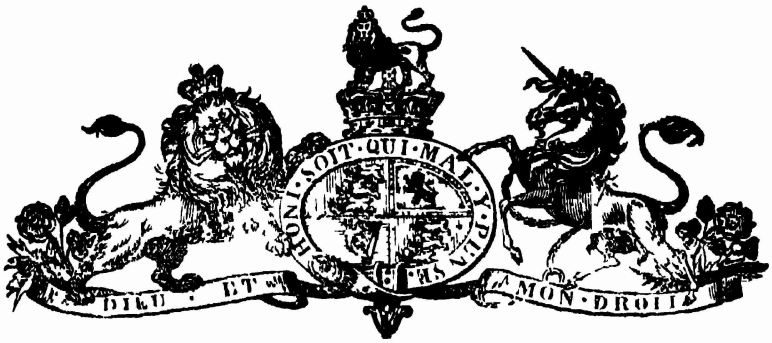

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VICTORIÆ REGINÆ.

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CAP. LXXIV.

An Act to enable Grand Juries of Counties in *Ireland* to present for Payment of Expenses in certain Cases. [30th *July* 1855.]

WHEREAS it is expedient in certain Cases to enable Grand Juries in *Ireland* to present any necessary and proper Expenses which may have been incurred, with the Sanction of such respective Grand Juries, in making any Applotment of Grand Jury Cess, for Payment of which Expenses no Provision is now made by Law: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grand Jury may present for certain Expenses incurred by Treasurers of Counties.

I. When the Treasurer or other Officer of any County, with the Sanction of the Grand Jury, or in the County of *Dublin* with the Sanction of the Finance Committee, shall have incurred or shall incur any necessary and proper Expenses in making any Applotment of Grand Jury Cess for Payment of which no Provision is made by

Law, it shall be lawful for the Grand Jury of such County, without previous Application to Presentment Sessions, to present to be raised off by such County all such necessary and proper Expenses as aforesaid as such Grand Jury may deem reasonable.

Continuance of Act.

II. This Act shall continue in force for Two Years from the First Day of *August* One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament.

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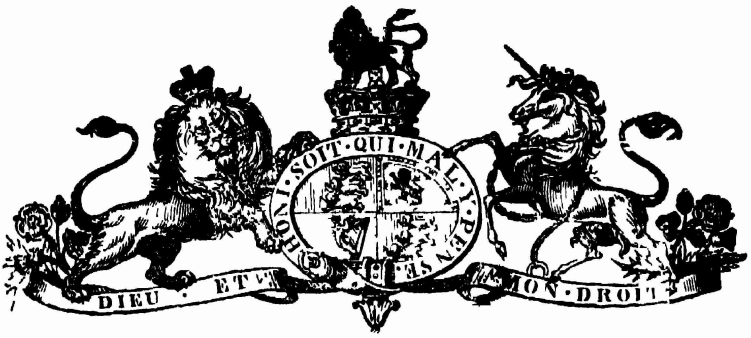

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CAP. LXXV.

An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England*.

[30th *July* 1855.]

WHEREAS an Act was passed in the Session holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law as to Ecclesiastical Jurisdiction in* England, by which it was enacted, that certain of the Provisions therein contained should continue until the First Day of *August* One thousand eight hundred and forty-eight, and, if Parliament were then sitting, until the End of the then Session of Parliament; and such Provisions have been continued by sundry Acts until the First Day of *August* One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament: And whereas it is expedient that the said Provisions should be further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Provisions of the said Act shall continue until the First Day of *August* One thousand eight hundred and fifty-six, and to the End of the then next Session of Parliament.

10 & 11 Vict. c. 98.

Certain Provisions of recited Act further continued.

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CAP. LXXVI.

An Act to continue an Act of the Fifth and Sixth Years of Her present Majesty for amending the Law relative to Private Lunatic Asylums in *Ireland*. [30th *July* 1855.]

WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for amending until the First Day of* August *One thousand eight hundred and forty-five, and until the End of the then next Session of Parliament, the Law relating to Private Lunatic Asylums in* Ireland: And whereas by the Fifty-first Section of the said Act it was provided, that the said Act should be and remain in force until the First Day of *August* One thousand eight hundred and forty-five, and until the End of the then next Session of Parliament, and no longer: And whereas by an Act of the Ninth and Tenth Years of Her Majesty's Reign, Chapter Seventy-nine, and an Act of the Fourteenth and Fifteenth Years of Her Majesty's Reign, Chapter Forty-six, the said first-recited Act was further continued till the Thirty-first Day of *July* One thousand eight hundred and fifty-five, and until the End of the then next Session of Parliament: And whereas it is expedient that the said first-recited

5 & 6 V c. 123.

9 & 10 Vict. c. 79.

14 & 15 Vict. c. 46.

first-recited Act should be further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first-recited Act shall be and remain in force until the First Day of *August* One thousand eight hundred and sixty, and until the End of the then next Session of Parliament.

Recited Act continued.

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Manner, that is to say, One Commissioner should be named by Her Majesty, and One by the President of the United States; and it was thereby provided, that the Commissioners should, before proceeding to any other Business, name some Third Person to act as an Arbitrator or Umpire in any Case or Cases on which they might themselves differ in Opinion: And by the said Convention Her Majesty and the President of the United States of *America* solemnly and sincerely engaged to consider the Decision of the Commissioners conjointly, or of the Arbitrator or Umpire, as the Case might be, as absolutely final and conclusive upon each Claim decided upon by them or him respectively, and to give full Effect to such Decisions without any Objection, Evasion, or Delay whatsoever: And it was thereby stipulated, that every Claim should be presented to the Commissioners within Six Months from the Day of their First Meeting, unless in any Case where Reasons for Delay should be established to the Satisfaction of the Commissioners, or of the Arbitrator or Umpire in the event of the Commissioners differing in Opinion thereupon, and then and in any such Case the Period for presenting the Claim might be extended to any Time not exceeding Three Months longer; and that the Commissioners should be bound to examine and decide upon every Claim within One Year from the Day of their First Meeting; and that all Sums of Money which might be awarded by the Commissioners, or by the Arbitrator or Umpire, on account of any Claim, should be paid by the one Government to the other, as the Case might be, within Twelve Months after the Date of the Decision, without Interest, and without any Deductions save as specified therein-after (as to Expenses): And the High Contracting Parties engaged to consider the Result of the Proceedings of the Commission as a full, perfect, and final Settlement of every Claim upon either Government, arising out of any Transaction of a Date prior to the Exchange of the Ratifications of that Convention; and further engaged that every such Claim, whether or not the same might have been presented to the Notice of, made, preferred, or laid before the said Commission, should, from and after the Conclusion of the Proceedings of the said Commission, be considered and treated as finally settled, barred, and thenceforth inadmissible: And it was thereby provided that the whole Expenses of the Commission, including contingent Expenses, should be defrayed by a rateable Deduction on the Amount of the Sums awarded by the Commission; provided always, that such Deduction should not exceed the Rate of Five *per Cent.* on the Sums so awarded; the Deficiency, if any, should be defrayed in Moieties by the Two Governments: And whereas, by another Convention between Her Majesty and the said President, signed at *Washington* on the Seventeenth of *July* One thousand eight hundred and fifty-four, it was agreed that the Time limited by the first-mentioned Convention for the

the Termination of the Commission should be extended for a Period not exceeding Four Months from the Fifteenth of *September* then next, should such Extension be deemed necessary by the Commissioners, or the Umpire: And whereas Commissioners were named by the High Contracting Parties in pursuance of the said first-mentioned Convention, and such Commissioners appointed a Third Person to act as an Arbitrator or Umpire, as provided by such Convention, and the Claims presented to the said Commissioners were, within the extended Period authorized in this Behalf as aforesaid, examined and decided upon by the Commissioners, or, in the Cases in which the Commissioners differed, by the said Arbitrator or Umpire: And whereas by such Decisions several Sums, amounting in the whole to Two hundred and seventy-seven thousand one hundred and two Dollars and Eighty-eight Cents, or, at the relative Value of Exchange as established by the Commissioners, Fifty-seven thousand two hundred and fifty-two Pounds Thirteen Shillings and Fourpence Sterling, were awarded to Subjects of Her Majesty in respect of their Claims upon the Government of the United States; and several Sums, amounting in the whole to Three hundred and twenty-nine thousand seven hundred and thirty-four Dollars and Eighteen Cents, or, at the relative Value of Exchange established as aforesaid, Sixty-eight thousand one hundred and thirty-one Pounds and Sevenpence Halfpenny Sterling, were awarded to Citizens of the United States in respect of their Claims upon Her Majesty's Government: And whereas by an Act of the Congress of the United States, approved by the President on the Third of *March* One thousand eight hundred and fifty-five, the said Sum of Two hundred and seventy-seven thousand one hundred and two Dollars and Eighty-eight Cents is to be paid to the duly authorized Agent of Her Majesty's Government, deducting therefrom, pursuant to the said Convention, on account of the Expenses of the said Commission, such rateable Proportion, not exceeding Five *per Cent.* of the whole Amount awarded to both Citizens of the United States and *British* Subjects, as might be sufficient to pay the said Expenses: And whereas it is expedient that the Commissioners of the Treasury should be enabled to cause the Sum payable under the said Act of Congress to be distributed among the *British* Subjects entitled under the Awards of the said Commissioners and Umpire: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Commissioners of Her Majesty's Treasury shall cause the said Sum of Two hundred and seventy-seven thousand one hundred and two Dollars and Eighty-eight Cents, after such Deduction therefrom

The Sums payable by the Government of the United

States to be divided among the British Subjects whose Claims have been allowed, and to be deemed a final Settlement of the Claims.

from on account of Expenses of the said Commission as in the said first-recited Convention provided, to be paid and distributed to and among the several Parties to whom the several Sums constituting the said aggregate Sum of Two hundred and seventy-seven thousand one hundred and two Dollars and Eighty-eight Cents were awarded under the said Commission, in proportion to the several Sums so awarded to them respectively, or to their respective Executors, Administrators, or Assigns; and such Payments shall be deemed to be a full Satisfaction of the Claims of the said several Parties; and all Claims upon the Government of the United States intended to be provided for by the said Convention shall be considered as finally settled and barred.

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taryLicences reduced.

Majesty, Her Heirs and Successors, the following reduced Duties on Stage Carriages in *Great Britain;* (that is to say,) for and in respect of every Mile which any Stage Carriage shall be licensed to travel One Penny, and for and in respect of every such supplementary Licence as aforesaid the Duty of One Shilling, in lieu of the Duties granted in the like Cases by the said recited Act: Provided always, that nothing herein contained shall extend to reduce or affect any Duty which shall accrue or be incurred on or before the said First Day of *July*.

Reduced Duties to be raised, &c. under existing Powers.

II. The said Duties by this Act granted and made payable shall be raised, levied, collected, and paid in like Manner, and by and under the like Powers and Authorities, Rules and Regulations, as the said Duties granted by the said recited Act are now raised, levied, collected, and paid under or by virtue of any Act or Acts in force.

Section 12 of 2 & 3 W. 4. c. 120. repealed.

III. From and after the passing of this Act Section Twelve of the Act passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and twenty, whereby the Commissioners are authorized to compound with any Person for the Duties which may become payable in respect of any Stage Carriage, shall be and the same is hereby repealed.

Paper for Covers or Envelopes of Letters provided by any Person may be stamped with Postage Stamps.

IV. And whereas by certain Acts passed in that Behalf the Commissioners of Inland Revenue are directed to provide Stamps for denoting the several Rates of Postage of Letters on Paper provided by the said Commissioners for the Covers or Envelopes of Letters, and it is expedient to provide for the stamping with such Stamps Paper which any Person may send to the said Commissioners for that Purpose: Be it enacted, That it shall be lawful for the Commissioners of Inland Revenue and they are hereby empowered, under such Regulations as the Commissioners of Her Majesty's Treasury may from Time to Time make or sanction in that Behalf, to stamp Paper which any Person may send to the said first-named Commissioners for the Purpose of being stamped for Covers or Envelopes of Letters with Stamps provided for denoting the several Rates of Postage, on Payment of the Amount of the Stamps required to be impressed on such Paper, and in Cases where such Amount shall not exceed Ten Pounds upon Payment in addition thereto of such Fee as the said Commissioners of Her Majesty's Treasury may direct or authorize to be taken in such Cases.

Prize Money Orders to be chargeable with the

V. And whereas under and by virtue of Two several Acts passed respectively, the one in the Second and Third Years of the Reign of His said late Majesty King *William* the Fourth, Chapter Fifty-three, and

and the other in the Third and Fourth Years of the said King's Reign, Chapter Twenty-nine, a Stamp Duty of One Shilling is payable upon Orders made for the Payment of Prize Money, or Bounty Money, or Money upon Grants due to Non-commissioned Officers and Soldiers, and it is expedient in lieu thereof to subject such Orders to the Stamp Duties chargeable on Inland Bills, Drafts, or Orders: Be it enacted, That the Stamp Duty of One Shilling payable under the said Two last-mentioned Acts on Orders made for the Payment of Prize Money, or Bounty Money, or Money upon Grants due to Non-commissioned Officers and Soldiers, shall cease, and in lieu thereof all such Orders shall be subject and liable to the like Stamp Duties as Inland Bills, Drafts, or Orders for the Payment of Money of the same Amount and of the like Tenor or Effect are now by Law subject and liable to.

same Duties as Inland Bills.

VI. And as to Bonds and other Securities relating to the Inland Revenue, all the Powers, Provisions, and Regulations concerning Bonds and other Securities relating to the Customs contained in Sections CXCV., CXCVI., and CXCVII. of the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter One hundred and seven, shall, *mutatis mutandis*, be deemed to extend and shall be applied to all Bonds and other Securities entered into or given, or to be entered into or given, by any Person or Persons under the Provisions of any Act relating to the Duties of Excise, or to any other of the Duties or Matters under the Control or Management of the Commissioners of Inland Revenue, or otherwise in relation or incident thereto: Provided always, that in any Case in which, under the Provisions of the said Sections, any Certificate is required to be signed, or any other Matter is authorized to be done, by Commissioners of Customs, or any Number of them, any such Certificate or Matter in relation to any Bond or Security concerning or incident to the Inland Revenue shall respectively be signed and done by the Commissioners of Inland Revenue, or the like Number of them.

Sections 195, 196, and 197 of 16 & 17 Vict. c. 107. to apply to Bonds and Securities relating to the Inland Revenue.

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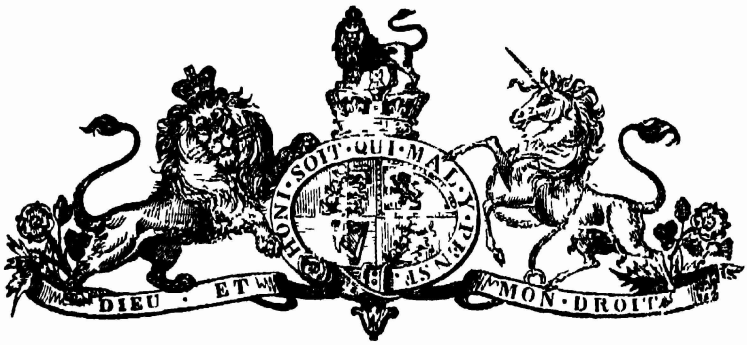

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CAP. LXXIX.

An Act to amend the Law regarding the Burial of poor Persons by Guardians and Overseers of the Poor. [30th *July* 1855.]

WHEREAS by the Act of the Eighth Year of the Reign of Her Majesty, Chapter One hundred and one, Provisions were made for the Burial of poor Persons by Guardians and Overseers of the Poor: And whereas, in consequence of the closing of the Burial Grounds in many Parishes, and the Want of adequate Space in others, great Difficulty is frequently found in carrying into execution the above Provisions, and it is expedient that other Provisions should be made: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

7 & 8 Vict. c. 101. s. 31.

I. That where the Guardians of any Union or Parish, or any of their Officers duly authorized in that Behalf, or the Overseers of any Parish not under a Board of Guardians, shall undertake the Burial of any poor Person, or shall contribute Money or other Aid towards the same, and the Burial cannot take place in the Parish where, according to the Provisions of the said Act, the same would have been required

Where Burial Ground of Parish closed or overcrowded, Guardians or Overseers may bury in neighbouring Parish.

required to take place, by reason of the public Burial Ground of such Parish having been closed, and no other having been provided, or where, in consequence of the crowded State of such Burial Ground, the Guardians or Overseers respectively are of opinion that the Burial of such dead Body therein would be improper, it shall be lawful to bury such Body in a public Burial Ground (some Part of which has been consecrated) of or in some other Parish as near as conveniently may be to the Parish wherein the Burial would have been required to take place according to the Provisions of the said Act: Provided, that in all Cases of Burial under the Direction of the Guardians or their Officers, or of the Overseers, as aforesaid, the Fee or Fees payable by the Custom of the Place where the Burial may be, or under the Provisions of any Act of Parliament, shall be paid by the said Guardians or Overseers for the Burial of each such Body to the Person or Persons who by such Custom or under such Act of Parliament shall be entitled to receive such Fee or Fees.

Power to enter into Agreements with Cemetery Companies or Burial Boards.

II. The Guardians of any Union or Parish, or the Overseers of any Parish not under a Board of Guardians, may from Time to Time enter into Agreements with the Proprietors of any Cemetery established under the Authority of Parliament, or with any Burial Board duly constituted under the Statutes in that Behalf, for the Burial of the dead Bodies of any poor Persons which such Guardians or Overseers may undertake to bury, or towards the Burial whereof they may render Assistance; and thereupon the Burial of any such Body, under the Directions of the said Guardians or their Officer, or of such Overseers, or with their Aid respectively, in such Cemetery, or in the Burial Ground of such Burial Board, (unless the deceased Person, or the Husband or Wife or next of Kin of such deceased Person, have otherwise expressly desired,) shall be lawful: Provided, however, that no such Agreement shall be valid unless made in such Form and with such Stipulations as the Poor Law Board shall approve.

Construction of Words to be as in 4 & 5 W. 4. c. 76., &c.

III. The Words contained in this Act shall be construed in like Manner as in the Act of the Fifth Year of King *William* the Fourth, Chapter Seventy-six, and in the several Acts incorporated therewith.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. LXXX.

An Act to ratify conditional Agreements entered into by the Commissioners of Her Majesty's Works and Public Buildings; and to vest in the said Commissioners certain Property situate near the College of *Edinburgh* in the City of *Edinburgh*, together with the General Register House in the said City, and all Lands held therewith; and to enable the said Commissioners to acquire certain Property near the Palace of *Holyrood*.

[30th *July* 1855.]

WHEREAS in the Estimates for the Public Service passed in the last Session of Parliament certain Sums were set apart for the Formation of a National Museum of Industry for *Scotland*, and in particular for the Purchase of Ground sufficient for the Site of the said Museum, to be built in the Vicinity of the Buildings of the University and College of *Edinburgh* within the City of *Edinburgh*: And whereas the Commissioners of Her Majesty's Works and Public Buildings, incorporated by an Act of the Session

 of

of Parliament holden in the Fifteenth Year of Her Majesty, Chapter Twenty-eight, have been appointed to carry out the Arrangements for the Purchase, Acquisition, and vesting in them of the Ground required for the Site of the said Museum: And whereas in pursuance of such Appointment to the said Commissioners a Deed of Agreement has been entered into between them on the one Part, and *Robert Gray*, Merchant, *Edinburgh*, *Adam Black*, Bookseller there, *John Baird*, Grocer, *Glimerton*, *Hugh Paton*, Carver and Gilder, *Edinburgh*, *George Johnston*, Temperance Hotel Keeper there, *William Auld*, Shoemaker there, and *John Peterson*, Merchant there, the surviving and acting Trustees vested in the Property and Buildings known as the *College Street* or *Argyle Square* Chapel, *Edinburgh*, therein-after described, for the Execution of the Trusts connected therewith, created by the deceased *John Aikman*, Minister of the Gospel in *Edinburgh*, by a Trust Disposition and Settlement executed by him, and bearing Date the Twenty-fourth Day of *March* One thousand eight hundred and twelve, and recorded in the Books of Council and Session the Fourteenth Day of *February* One thousand eight hundred and thirty-four, in favour of the said *Robert Gray* and others, on the other Part, the said Deed of Agreement bearing Date the Nineteenth, Twentieth, and Twenty-second Days of *March* and Seventh and Twentieth Days of *April*, all in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and Year last mentioned; and reciting that it had been deemed expedient towards the Formation of the said Museum that the absolute Right to the said Property and Buildings should be acquired by and vested in the said Commissioners; and reciting that the said Commissioners, by and with the Consent of the Commissioners of Her Majesty's Treasury, had agreed with the said Trustees for the absolute Purchase of the said Property and Buildings at a Price to be paid therefor of Two thousand Pounds Sterling; and reciting that the said Property and Buildings, being vested in the said Trustees for the Execution of the Trusts aforesaid, and no Power of Sale being conferred on them by the Titles under which they hold the same, it was not competent for the said Trustees to sell or dispose of the said Subjects, nor could they grant a valid Conveyance and Disposition thereof to the said Commissioners, without the Authority of Parliament; and by which Deed of Agreement it was agreed that the said Commissioners should within a reasonable Time, and without undue Delay after the Date and Execution of the said Deed of Agreement, (and at their own Expense,) apply for an Act of Parliament empowering the said Commissioners to purchase and acquire, and empowering the said *Robert Gray*, *Adam Black*, *John Baird*, *Hugh Paton*, *George Johnston*, *William Auld*, and *John Peterson*, as Trustees foresaid,

Agreement, dated 19th, 20th, and 22d March and 7th and 20th April 1855, for Purchase of Property near the College of Edinburgh as a Site for a National Museum of Industry.

foresaid, and their Successors in Office, or so many of them as are declared to be a Quorum by the Deed constituting the said Trust, and the Survivors or Survivor of them, and all other Parties who were, could, should, or might be interested, to sell and dispose of the said Property and Buildings, and to grant, make, or execute, in favour of the said Commissioners and their Successors, or other Disponees that might be considered necessary, a good and valid Conveyance and Disposition thereof, and all Rights and Pertinents held or connected therewith, which Property and Buildings are stated in the said Deed of Agreement to be described in the Title Deeds as follows, *viz.*, all and whole that Area, with the Chapel or Place of Worship sometime ago erected thereon by the said *John Aikman*, situated at the West End of the College of *Edinburgh*, and bounded as follows, *viz.*, by the Street leading from the *College Wynd* to the *Potterrow* on the East, the Street leading along the North Side of the College to *Argyle Square* on the North, the Property of the *Trades Maiden Hospital* on the West, and that large Tenement and Garden also belonging to the said *John Aikman* on the South, together with a Servitude over the whole Garden or Ground belonging to the said *John Aikman* lying behind the contiguous Tenement on the South of the said Chapel, for the Purpose of preserving entire the Light of the large Window in the South Side of the Chapel, with free Ish and Entry to the said Place of Worship from both of the said Streets, which Area whereon the said Chapel is built was purchased by the said *John Aikman* partly from *James Dewar* Esquire, of *Vogrie*, alongst with other Subjects contained in his Disposition to the said *John Aikman*, dated the Twenty-fourth and Twenty-ninth Days of *July* Eighteen hundred and one, and recorded in the Books of Council and Session the Sixteenth Day of *April* thereafter, and partly from the Governors of said Hospital; and the said *Robert Gray*, *Adam Black*, *John Baird*, *Hugh Paton*, *George Johnston*, *William Auld*, and *John Peterson* thereby agreed and bound and obliged themselves as Trustees foresaid, and their Successors in Office, that they should, upon being so empowered, sell, alienate, convey, and dispone to and in favour of the said Commissioners, or to such other Disponees as the said Commissioners should direct and appoint, at and for the foresaid Price of Two thousand Pounds Sterling, all and whole the aforesaid Subjects as before described, or by any other Description that might be considered necessary for the proper Identification thereof, together with all Right, Title, and Interest, Claim of Right, Property, and Possession which they or their Predecessors, or the said *John Aikman* or his Authors, had to the Premises, and for that Purpose to execute and deliver a good, valid, and effectual Disposition and Conveyance, containing all usual and necessary Clauses, in favour of

of the said Commissioners or such other Disponees as the said Commissioners might direct and appoint; and the said Commissioners should, on the Execution and Delivery of such Disposition and Conveyance, be bound to make Payment of the foresaid Sum of Two thousand Pounds without Deduction of any Expenses incurred by them in carrying out the Sale and Transference to them of the said Subjects or otherwise, such Payment to be made and applied under the Provisions of the Act of Parliament to be obtained as aforesaid; and it was thereby further declared and agreed to by the Parties, that the Term of Entry of the said Commissioners to the said Subjects should be as soon as might be agreed on after the passing of the Act of Parliament empowering the said Trustees as aforesaid to sell and dispone the said Subjects to the said Commissioners, or at least at the First Term of *Whitsunday* or *Martinmas* that should happen subsequent to the passing of the said Act, from which Time or Term, as the Case might be, the said Purchase Money, if not previously paid, should bear Interest until Payment thereof was made as might be directed by the Act of Parliament to be obtained as aforesaid:

Agreement dated 30th March and 20th April 1855, for Transfer by the Town Council of Edinburgh of their Rights (if any) in the Museum of the University;

And whereas by another Deed of Agreement, bearing Date the Thirteenth Day of *March* and Twentieth Day of *April*, both in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and Year last mentioned, entered into between the said Commissioners on the one Part, and the Right Honourable *John Melville*, Lord Provost of the City of *Edinburgh*, *Adam Morrison*, *Francis Brown*, *Douglas George Clark*, and *John Kay*, Esquires, Bailies, *Peter Scott Fraser* Esquire, Dean of Guild, and *David Dickson* Esquire, Treasurer, and also the remanent Members of the Town Council, all as representing the Community of the said City, as Patrons and Guardians of the University and College of *Edinburgh*, on the other Part, proceeding on a Recital of the Intention to form the said National Museum; and also reciting that certain Proposals were submitted on behalf of the Lords of the Committee of Privy Council for Trade to the said Magistrates and Town Council, for the Transfer to Her Majesty's Government by them of any Rights they might have in the Museum of the said University, on condition that the proposed National Museum was made fully available to the Professors of the said University for instructional Purposes, and to be open to the Public free of Charge during certain Days of the Week, and for the Acquisition by Her Majesty's Government of certain Subjects under the Management, Control, and Disposal of the said Magistrates and Town Council as Patrons and Guardians of or otherwise as Trustees on behalf of the said University; and further reciting that the said Proposals having been considered at a Meeting

Meeting of the said Magistrates and Town Council on the Eighth Day of *August* One thousand eight hundred and fifty-four, they, by their Act of Council of that Date, did renounce all Right of Property in and Management of or Control over the Collections forming the Museum of Natural History in the said University belonging to them as Patrons and Guardians aforesaid to and in favour of the said Lords of the Committee of Privy Council for Trade, and they did thereby bind and oblige themselves and their Successors in Office to transfer all such Right, Title, and Interest which they had or could have as Patrons and Guardians aforesaid in or to the Area of Land in *West College Street*, bounded by the said Street on the East, the Grounds of the *Trades Maiden Hospital* on the West, the Houses of *Lothian Street* on the South, and the Independent Chapel occupied by the Congregation of the Reverend Doctor *Alexander* on the North, and for that Purpose to execute and deliver such legal Transfer and Conveyance as might be judged necessary, and that at the Expense of the said Lords, it being declared by the said Act of Council that such Renunciation and Transfer as aforesaid should be made on the Condition that the Views of the Lords of the Committee of Privy Council for Trade expressed in the Documents referred to in the said Act of Council should be fully carried into execution by the said Lords; and also reciting that by the said Act of Council the said Magistrates and Council, considering that it might become necessary to widen the Approach by *North College Street* to the said Museum, did agree to concur in any Plan which might be concerted by the said Lords for widening the said Approach; and to cede so much of the Property on the North Side of the said Street belonging to them as Patrons and Guardians aforesaid as the said Lords might think necessary to throw into the said Street or Foot Pavement when so required to be widened; and also reciting that the said Area of Land in *West College Street* was originally acquired in Five separate Lots or Parcels by the Commissioners appointed by Royal Warrant to superintend the Erection of Buildings for the said University of *Edinburgh* and the Expenditure of the Parliamentary Grants therefor, and the said Lots or Parcels were feudally vested in the Honourable *James Clerk Rattray*, One of the Barons of the Court of Exchequer in *Scotland*, *Robert Johnston*, Merchant in *Edinburgh*, and Doctor *Andrew Duncan* junior, Secretary of the Senatus Academicus of the University of *Edinburgh*, being Three of and a Committee appointed by the said Commissioners appointed by Royal Warrant to superintend the Erection of Buildings for the said University and the Expenditure of the Parliamentary Grants therefor, for the Purpose of making certain Purchases for their Behoof, and the Survivors and Survivor of the said Baron *Clerk Rattray*, *Robert Johnston*, and

and to cede Property for widening and improving the Approach to the proposed National Museum of Industry.

Andrew Duncan junior, and the Heirs and Assignees of them, in trust and for Behoof of the said Commissioners, as the said Subjects, consisting of Five Lots or Parcels, were more particularly decribed in an Instrument of Sasine in favour of the said Baron *Clerk Rattray*, *Robert Johnston*, and *Andrew Duncan* junior, as Trustees foresaid, dated the Twelfth Day of *February* One thousand eight hundred and twenty-two, and recorded in the Register of Sasines kept for the City of *Edinburgh* the same Day, and in the several Dispositions containing the Procuratories of Resignation on which the same proceeds and the other Titles of the said Subjects; and also reciting that the said Trustees were all dead, the said *Robert Johnston* having been the last Survivor of them, and that the Heirs of the said *Robert Johnston*, having made up a Title as Heir to him in the said Trust Subjects, had conveyed and disponed the same to the said Magistrates and Town Council on the same Trusts as the said Subjects were held by the said *Robert Johnston* as surviving Trustee foresaid, with a view to enabling the said Magistrates and Town Council the more effectually to carry out the said Arrangement for surrendering the said Subjects for the Purposes of the said National Museum, in which Subjects the said Magistrates had been infeft conform to Instrument of Sasine in their Favour recorded in the Burgh Register of Sasines for the City of *Edinburgh* the Seventh Day of *March* One thousand eight hundred and fifty-five; and also reciting that the Property belonging to the said Magistrates and Town Council, or under their Management and Disposal as Patrons and Guardians foresaid, situated on the North Side of *North College Street*, of which they agreed to cede as much as the said Lords might think necessary to throw into the said Street or Foot Pavement, when so required to be widened as aforesaid, was originally acquired by certain Trustees appointed by the Subscribers to a Fund for rebuilding the College of *Edinburgh*, in separate Lots, from *William Keith*, Accountant in *Edinburgh*, *Walter Scott*, Writer to the Signet, and the Incorporation of Bakers of *Edinburgh*, to whom the respective Purchase Monies were paid, but no Title, so far as then appeared, was ever obtained from these Parties; and also reciting that the whole of the said Property in *West College Street* was required for the said National Museum; and also reciting that the said Commissioners of Her Majesty's Works and Public Buildings had been appointed to carry out the Arrangements for the Acquisition of the Ground required for the Site of the said National Museum, and obtaining the same vested in them; therefore the said Right Honourable *John Melville*, Lord Provost, *Adam Morrison*, *Francis Brown Douglas*, *George Clark*, and *John Kay*, Esquires, Bailies, *Peter Scott Fraser* Esquire, Dean of Guild, and *David Dickson* Esquire, Treasurer, and the remanent Members of the

the Town Council of the said City of *Edinburgh*, as the Trustees feudally vested in the Subjects therein-after disponed, and as Patrons and Guardians of the University of *Edinburgh*, or as having Right in any other Character or Capacity whatever to the said Subjects, did thereby alienate, convey, and dispone to and in favour of the said Commissioners of Her Majesty's Works and Public Buildings, for the Purposes of the said National Museum, all and the whole the foresaid Area of Land in *West College Street*, described as bounded by the said Street on the East, the Grounds of the *Trades Maiden Hospital* on the West, the Houses of *Lothian Street* on the South, and the Independent Chapel occupied by the Congregation of the Reverend Doctor *Alexander* on the North, or as the said Area was otherwise described in the foresaid Instrument of Sasine in favour of the said Baron *Clerk Rattray*, *Robert Johnston*, and *Andrew Duncan* junior, and the other Titles of the said Subjects; and further the said Lord Provost, Magistrates, and Council thereby agreed and bound and obliged themselves and their Successors in Office to concur in any Plan that might be concerted by the said Commissioners of Her Majesty's Works and Public Buildings for widening the Approach to the said Museum, and to cede to the said Commissioners so much of the foresaid Property on the North Side of *North College Street* belonging to them as Patrons and Guardians foresaid as the said Commissioners might think necessary to throw into the said Street or Foot Pavement, when required to be widened, and to grant such Deeds as might be legally requisite for fully vesting the Ground so to be ceded in the said Commissioners, at the Expense of the said Commissioners, which several Subjects therein described were stated to be delineated on a Plan thereof and of the other Subjects acquired or to be acquired by the said Commissioners for the Purposes of the said Museum, the Subjects first therein described being coloured Pink on said Plan, and the Subjects second therein mentioned being coloured Green thereon, which Plan is therein stated to be subscribed by the said Lord Provost and the First Commissioner of Her Majesty's Works and Public Buildings as relative to the said Deed of Agreement by which it was declared that the Disposition and Obligation therein contained were granted by the said Lord Provost, Magistrates, and Council only for the Purposes foresaid, and no otherwise, and which Purposes should be a Real Burden on the said Disposition granted and to be granted; and the said whole Parties thereto further considering, that in order to fortify the Title thereby conferred and to be conferred to the said several Subjects it had been deemed expedient that an Act of Parliament should be obtained for more effectually vesting the same in the said Commissioners; therefore it was thereby agreed to by and between the said several Parties thereto that the said Commissioners of Her Majesty's Works and Public Buildings should within

within a reasonable Time and without undue Delay after the Date and Execution of the said Deed of Agreement, and at the Expense of the said Commissioners, apply for an Act of Parliament containing Clauses ratifying the said Deed of Agreement, and transferring to and vesting in the said Commissioners for the Purposes of the said Museum the several Subjects thereby disponed or to be disponed in the event and for the Purpose foresaid, and declaring them free and disburdened of the Trusts upon which the same were and had been held by the said Lord Provost, Magistrates, and Council, and their Predecessors, and containing such other Clauses as might be considered necessary for carrying out the Object and Intention of the said Deed of Agreement, and specially, without Prejudice to the said Generality, empowering the said Magistrates and Town Council to widen or alter the Approaches or Streets leading to the said Museum, in as far as they and the said Commissioners should consider necessary, but which Power so to be obtained should not impose or imply, or be deemed or taken to impose or imply, any Obligation on the said Lord Provost, Magistrates, and Council to widen or alter the said Approaches or Streets at the Expense of the Community and Common Good of said City, or out of any other Fund under their Management and Control: And whereas by a Disposition dated the Thirteenth, Fourteenth, Sixteenth, and Seventeenth Days of *April* One thousand eight hundred and fifty-five, made and executed by *Henry Banks*, Convener of the Incorporated Trades of the City of *Edinburgh* and Deacon of the Incorporation of Tailors of *Edinburgh*; *Samuel Weir*, Deacon of the Incorporation of Goldsmiths of *Edinburgh*; *John Steele*, Deacon of the Incorporation of Hammermen of *Edinburgh*; *Thomas Johnstone*, Deacon of the Incorporation of Wrights of *Edinburgh*; *Edward Macgill*, Deacon of the Incorporation of Masons of *Edinburgh*; *John Ramage*, Deacon of the Incorporation of Bakers of *Edinburgh*; *John Cox*, Deacon of the Incorporation of Furriers of *Edinburgh*; *Robert Legget* junior, Deacon of the Incorporation of Skinners of *Edinburgh*; *Thomas MacMillan*, senior Deacon of the Incorporation of Fleshers of *Edinburgh*; *John James*, Deacon of the Incorporation of Shoemakers of *Edinburgh*; *George Tibbets*, Deacon of the Incorporation of Waulkers of *Edinburgh*; *Robert Brown*, Deacon of the Incorporation of Websters of *Edinburgh*; *John Williams*, Deacon of the Incorporation of Bonnetmakers of *Edinburgh*; *George Crichton*, Goldsmith, *Edinburgh*, and *William Beattie*, Builder, *Edinburgh*, Trades Councillors of the said City; *George Roper Dickie*, Preses of the Society of Barbers of *Edinburgh*; *Gordon Brown*, residing in *Buccleugh Place*, *Edinburgh*; *Robert Sclater*, Die and Stamp Cutter, *Edinburgh*; *James Nimmo*, Brassfounder there; *James Milne*, Boot and Shoe Maker there; *George Copland*, Tailor there;

Disposition dated 13th, 14th, 16th, and 17th April 1855, for Purchase of Property from the Governors of the Maiden Hospital for the Purposes of the National Museum of Industry.

there; *James Thomson*, Hosier, *North Saint Andrew Street* there; *William Cushnie*, residing at *Malta Green Cottage* there; *Robert Legget* senior, Skinner, *Water of Leith* there; and *John Clark*, residing in *Teviot Row* there, all then Governors of the *Maiden Hospital* founded by the Craftsmen of *Edinburgh* and *Mary Erskine*, and erected or incorporated by Statute from Queen *Anne*, dated the Twenty-fifth Day of *March* One thousand seven hundred and seven, Heritable Proprietors of the Subjects thereby disponed, in consideration of the Price therein mentioned, sold, alienated, and disponed from them and their Successors in Office to the said Commissioners of Her Majesty's Works and Public Buildings, heritably and irredeemably, all and whole the Ground and Buildings known, used, and occupied as the *Trades Maiden Hospital*, bounded as therein described, all as the said Ground and Buildings were delineated and coloured Blue on a Plan thereof and of other adjoining Properties acquired or to be acquired by the said Commissioners which was subscribed by the said *Henry Banks*, Convenor foresaid, and *John Clark*, Treasurer of the said Hospital, on behalf of the Grantors of the said Disposition, as relative thereto, which Subjects thereby disponed were stated to be Part of the several Subjects therein-after described, or one or other of them, in which several Subjects the Governors of the said Hospital were infeft conform to Instrument of Resignation and Sasine in their Favour, dated the Twenty-sixth Day of *April* One thousand seven hundred and seven, and recorded in the Burgh Register of Sasines of *Edinburgh* the same Day, and also conform to another Instrument of Resignation and Sasine in their Favour, dated Tenth *September* One thousand seven hundred and six, and recorded in the said Burgh Register of Sasines the same Day; and the said Governors of the said Hospital did also thereby sell, alienate, and dispone to the said Commissioners all Privileges, Servitudes, Pertinents, and others held or connected therewith, and, without Prejudice to such general Conveyance, the Privilege and Servitude therein particularly described: And whereas the Subjects disponed by the said Disposition were acquired for the Purposes of the said National Museum: And whereas it is expedient that the said recited Agreements between the said Commissioners of Her Majesty's Works and Public Buildings on the one Part, and the said Trustees for the Administration of the Affairs of the said Chapel, and the said Lord Provost, Magistrates, and Council of the City of *Edinburgh* respectively, on the other Part, should be ratified and carried into effect in manner herein-after provided, and that the said Disposition by the Governors of the said *Trades Maiden Hospital* in favour of the said Commissioners of Her Majesty's Works and Public Buildings should also be ratified in manner herein-after mentioned:

The Register House, Edinburgh, to be vested in the Commissioners of Works.

tioned: And whereas it is expedient that the Buildings forming the General Register House in *Edinburgh*, and Ground whereon the same are built, and all other Property of whatever kind held or connected therewith, should be transferred to and vested in the said Commissioners: And whereas Inconveniences and Difficulties have arisen in the Acquisition by the said Commissioners for the Public Service of Property situated at or near the Palace of *Holyrood* or Precincts thereof, held by Parties who were, by the Titles thereof or otherwise, legally incapacitated from selling or disposing of the same and granting valid Conveyances thereof, and it is expedient that these Inconveniences and Difficulties should be removed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Deeds of Agreements confirmed.

I. The said herein-before recited Deed of Agreement, bearing Date the Nineteenth, Twentieth, and Twenty-second Days of *March* and Seventh and Twentieth Days of *April*, all in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and Year last mentioned, entered into between the said Commissioners of Her Majesty's Works and Public Buildings on the one Part, and the said *Robert Gray*, *Adam Black*, *John Baird*, *Hugh Paton*, *George Johnston*, *William Auld*, and *John Peterson*, the surviving and acting Trustees vested in the Property and Buildings known as the *College Street* or *Argyle Square* Chapel, *Edinburgh*, therein and herein-before described, for the Execution of the Trusts connected therewith created by the said deceased *John Aikman*, Minister of the Gospel in *Edinburgh*, by his said Trust Disposition and Settlement bearing Date the Twenty-fourth Day of *March* One thousand eight hundred and twelve, and recorded in the Books of Council and Session the Fourteenth Day of *February* One thousand eight hundred and thirty-four, on the other Part; as also the said Deed of Agreement bearing Date the Thirteenth Day of *March* and the Twentieth Day of *April*, both in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and Year last mentioned, between the said Commissioners of Her Majesty's Works and Public Buildings on the one Part, and the said Lord Provost, Magistrates, and Council of the City of *Edinburgh*, in their several Characters foresaid, on the other Part, and the Disposition and Obligation therein contained; as also the said Disposition dated the Thirteenth, Fourteenth, Sixteenth, and

and Seventeenth Days of *April* One thousand eight hundred and fifty-five, by the said Governors of the *Trades Maiden Hospital, Edinburgh*, in favour of the said Commissioners of Her Majesty's Works and Public Buildings, shall be and the same are hereby ratified and confirmed, and made valid and effectual, to all Intents and Purposes whatsoever.

Property near the College to be conveyed to the Commissioners of Works.

II. It shall be lawful to and in the Power of the said *Robert Gray, Adam Black, John Baird, Hugh Paton, George Johnston, William Auld*, and *John Peterson*, as Trustees foresaid, and their Successors in Office, or so many of them as are declared to be a Quorum by the Deed constituting the said Trust, and the Survivors or Survivor of them, and all other Parties who are, can, shall, or may be interested, to sell and dispose of the said Property and Buildings known as the *College Street* or *Argyle Square* Chapel, *Edinburgh*, described in the said Deed of Agreement, to the said Commissioners of Her Majesty's Works and Public Buildings, and to grant, make, and execute, in favour of the said Commissioners or other Disponees that may be considered necessary, a Conveyance and Disposition of the said Property and Buildings, and all Rights, Servitudes, Privileges, and Pertinents held or connected therewith, as the same are described in the said Deed of Agreement, or in the Title Deeds thereof, or by any other or additional Description that may be considered necessary or proper for the due Identification of the said Subjects, which Conveyance and Disposition so to be granted as aforesaid shall contain all usual and necessary Clauses for fully vesting the said Subjects in the said Commissioners, and the same shall be good, valid, and effectual to all Intents and Purposes whatsoever.

The Price to be paid by the said Commissioners to an Account at the Royal Bank of Scotland.

III. The said Commissioners of Her Majesty's Works and Public Buildings shall, on the Execution and Delivery to them of the aforesaid Conveyance and Disposition, pay or cause to be paid the Sum of Two thousand Pounds Sterling, together with the Interest that may have accrued thereon from the Time the said Commissioners may have obtained Entry to the said Subjects prior to the Delivery of such Conveyance and Disposition, into the Royal Bank of *Scotland*, to an Account to be raised in the Books of said Bank in the Names of the Right Honourable *John Melville*, present Lord Provost of the City of *Edinburgh*, *Maurice Lothian* Esquire, Procurator Fiscal for the County of *Midlothian*, and *John Gibson* junior, Esquire, Writer to the Signet, or the Survivors or Survivor of them, or the Heirs Male of such Survivor, as Trustees or Trustee, for reinvesting the said Monies and carrying into effect the other Purposes herein-after mentioned.

IV. The

Receipt of Treasurer to be a good Discharge.

IV. The Receipt of the Treasurer or other proper Officer of the said Bank shall be a good and sufficient Discharge for the said Sum of Two thousand Pounds, and Interest thereon, and the said Commissioners shall not be in any way liable for or concerned with the Application, Misapplication, or Nonapplication of the Monies so to be paid by them as aforesaid, or any Part thereof.

Upon Execution of Conveyance and Payment of Price the Property to be disburdened of the Trusts, &c. affecting the same.

V. Immediately from and after the Execution and Delivery of the said Conveyance and Disposition, and on such Payment being made into the said Royal Bank of *Scotland* as aforesaid, the said Subjects to be therein comprised shall be and the same are by force and virtue of this Act absolutely freed and disburdened of the Trusts, Conditions, and Purposes, and all other Burdens affecting the same, created or imposed by the Trust Disposition and Settlement aforesaid of the said deceased *John Aikman*, or any subsequent Deed or Deeds made and executed by him, or by any Deeds executed by the Trustees acting under the said Trust Disposition and Settlement, or other Deeds executed by the said deceased *John Aikman;* all which, so far as they affect or can be made to affect the said Subjects, or the Grantors of the said Conveyance and Disposition in relation thereto, are hereby discharged and declared to be at an end as if the same had never existed, and such Conveyance and Disposition shall not be liable to Objection nor its Validity be in any way impaired or affected by reason of any Defect whatever in the Titles of the Grantors of such Conveyance and Disposition, or their Predecessors and Authors.

The Price to be invested, under the Direction of the Court of Session, in the Purchase of other Property, to be conveyed on the same Trusts.

VI. And the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, as Trustees aforesaid, and their foresaids, may and shall, with all convenient Speed, and with the Approbation of the Court of Session in either Division thereof, and under the Direction thereof, and by and with the Consent of the Trustees or Trustee acting for the Time under the said Trust Disposition and Settlement of the said deceased *John Aikman*, after Payment of all Expenses incurred in the Execution of the Trust hereby created, which they are hereby authorized to satisfy and pay in the first place, lay out, invest, and apply the said Sum of Two thousand Pounds so to be paid into the said Royal Bank of *Scotland* as aforesaid into the Account herein provided to be raised in the Books of the said Bank in the Names of the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, as Trustees foresaid, and also any Balance of Interest and Accumulations thereof that may remain after satisfying the Purposes herein-after provided for, in the Purchase of a Site for a suitable Chapel or Place of Worship, and the Balance thereof, if any, shall remain for and towards the Erection of such Chapel, or otherwise in the Purchase

Purchase and Acquisition of any Building or Buildings, and converting the same into a suitable Chapel or Place of Worship, in lieu and place of the aforesaid Chapel and Ground on which the same is built, to be disponed to the said Commissioners of Her Majesty's Works and Public Buildings under the Authority of this Act; and the Ground or Buildings so to be purchased and acquired or erected as aforesaid by the Trustees herein-before appointed for the Purposes aforesaid shall be conveyed and disponed by the Parties from whom the same shall be so purchased and acquired, or by the same purchasing Trustees or Trustee, and by the Directions of the Court of Session in either Division thereof, to the Trustees acting for the Time under the said Trust Disposition and Settlement of the said deceased *John Aikman*, and under and subject to the same Trusts, Conditions, Ends, Uses, and Purposes as are specified in the said Trust Disposition and Settlement of the said deceased *John Aikman*, in the same Manner and to the like Effect as if the Ground and Buildings so to be acquired and purchased or erected as aforesaid had been the Subjects originally comprised within the said Trust Disposition and Settlement.

Interest accruing on the Capital in the meantime to be applied in providing a temporary Place of Worship for the Congregation on whose Behalf the Trust was created.

VII. Until the Investment herein-before directed shall be made, the Interest accruing on the said Capital Sum of Two thousand Pounds by reason of its Deposit in such Bank as aforesaid shall be paid to the Trustees or Trustee acting for the Time under the said Trust Disposition and Settlement, to enable them to provide a temporary Place of Worship for the Congregation on whose Behalf the said Trust was created, and on such other Purposes of the Trust as Circumstances may render necessary or expedient: Provided always, that the Expenses incurred in the Execution of the Trust herein-before created shall form a preferable Charge upon and shall be satisfied and paid in the first place out of the said Interest, and shall not be defrayed, so long as the Interest is sufficient for that Purpose, out of the said Capital Sum of Two thousand Pounds.

Trustees on passing their Accounts to be discharged by Court of Session.

VIII. After having carried the Purposes of this Act into effect, so far as the same are committed to the said Trustees herein-before appointed, it shall be lawful to such Trustees and their foresaids, if he or they shall think it necessary for his or their own Relief, to apply to the said Court of Session in either Division thereof for a Discharge or Exoneration of their Proceedings, upon a Petition to be presented to the said Court in either Division thereof in a summary Way, and the said Court in either Division thereof is hereby required to order Production of the Accounts of the said Trustees, and after Consideration thereof, and if the same shall be found to be correct, to exonerate

and discharge the said Trustees of his or their Intromissions, and to declare him and them quit and discharged thereof for ever.

Provision for the Appointment of new Trustees.

IX. If the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, or any of them, shall die, or be desirous to be discharged from or shall become incapable to act in the Trusts, Powers, and Authorities hereby in them vested, at any Time before the said Trusts, Powers, and Authorities shall have been duly performed and executed, then and in any of these Cases, when and so often as the same shall happen, it shall and may be lawful for the said Court of Session in either Division thereof, upon the Application either of the surviving Trustee or of the Trustees acting for the Time under the said Trust Disposition and Settlement of the said deceased *John Aikman*, or Quorum, or Survivor of them, to appoint any other fit Person or Persons to be a Trustee or Trustees for the Purposes aforesaid in the Place and Stead of such Trustee and Trustees as shall die, or be desirous to be discharged from or shall become incapable to act in the Execution of the Trusts, Powers, and Authorities by this Act given, and so from Time to Time as often as there shall be Occasion; and so often as any new Trustee or Trustees shall be appointed as aforesaid the Sums of Money paid to the Account of and vested in the said Trustees as aforesaid, and hereby vested in the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, shall thereupon become legally and effectually vested in such new Trustee or Trustees, and the Survivor and Survivors of them, and the Heirs of such Survivor, upon the Trusts, and to and for the same Uses, Intents, and Purposes, and with, under, and subject to all the Powers and Authorities by this Act given and declared.

Majority to be a Quorum.

X. The major Part of the Trustees acting in the Business and Affairs of the said Trust for the Time, while more than Two survive or continue, shall be a legal and sufficient Quorum for carrying all the Purposes of this Act into execution, and any One of them who only shall survive or continue shall at all Times have full Power to act by himself alone.

The Property near the College to be vested in the Commissioners of Works for the Purposes of the said National Museum.

XI. The Area of Land situated in *West College Street* of *Edinburgh*, herein-before described, and disponed in manner herein-before recited by the said Lord Provost, Magistrates, and Council of the said City of *Edinburgh* to the said Commissioners of Her Majesty's Works and Public Buildings, is hereby, but subject always to the Declarations and Real Burden contained in the Deed of Agreement second herein-before recited and confirmed, transferred to and vested in the said Commissioners for the Purposes of the said National Museum, and

and no otherwise, as fully and effectually as if the said Commissioners were infeft and seised therein, and the same, as well as the said Lord Provost, Magistrates, and Town Council, shall be and are hereby declared freed and discharged of the Trusts upon which the said Area of Land was held by the said Lord Provost, Magistrates, and Council, and their Predecessors, in the same Manner and to the same Effect as if such Trusts had never existed: Provided always, that a Memorandum of the above Provision, whereby the said Area of Land is transferred to and vested in the said Commissioners, shall, as soon as conveniently may be after the passing of this Act, be signed by the Lord Provost for the Time being, and registered in the Burgh Register of Sasines for the City of *Edinburgh*, which Memorandum may be in the Form set forth in the Schedule to this Act.

The Town Council empowered to convey Property for widening the Street.

XII. The Lord Provost, Magistrates, and Council of the said City shall be entitled, and are hereby authorized, empowered, and required, to convey and dispone to the said Commissioners of Her Majesty's Works and Public Buildings so much of the foresaid Property situated on the North Side of *North College Street* of *Edinburgh*, herein-before described, and belonging to the said Lord Provost, Magistrates, and Council as Patrons and Guardians of the said University and College of *Edinburgh*, or in any other Capacity, as the said Commissioners may deem it necessary to throw into the said Street or Foot Pavement when required to be widened, and to grant all Deeds necessary for fully vesting the Ground so to be conveyed and disponed in the said Commissioners, at the Expense of the said Commissioners; and the Deed or Deeds so to be granted shall not be impugned on the Ground of any Defect of Title in the Grantors thereof, or on any other Ground in Law whatever, but the same shall be valid and effectual to all Intents and Purposes whatsoever.

Property acquired from Town Council not to be used for other Purposes than those of the National Museum, without their Consent.

XIII. The said Commissioners of Her Majesty's Works and Public Buildings shall not be entitled to put, and they are hereby debarred from putting, the foresaid Subjects already disponed and to be disponed to them by the said Lord Provost, Magistrates, and Council, to any other Uses or Purposes than those contained and expressed in the Deed of Agreement second herein-before recited and confirmed, without the Consent in Writing of the said Lord Provost, Magistrates, and Council first had and obtained; and if the said Commissioners shall contravene this Provision, they shall be bound, on the Requisition in Writing of the said Lord Provost, Magistrates, and Council, to reconvey and dispone to them the said Subjects, or, in the Option of the said Lord Provost, Magistrates, and Council, to pay to them a suitable Compensation or Price for the

the said Subjects, as the same may be ascertained with reference to the Value of the said Subjects as at the Date of the passing of this Act.

Disposition granted by the Maiden Hospital not to be objected to for Defect in Title.

XIV. The Disposition herein-before mentioned, granted by the Governors of the *Trades Maiden Hospital*, *Edinburgh*, shall not be liable to any Objection or its Validity affected by reason of any Defect in the Title of such Governors or their Predecessors in any respect whatever.

General Register House vested in the Commissioners of Works.

XV. All the Buildings occupied as and forming Her Majesty's General Register House at *Edinburgh*, and all the Lands and Buildings connected therewith, and all Lands whereon the same are built, and all Lands or Heritages held therewith, or purchased or acquired therewith, or for the Improvement or Extension thereof, under any Royal Warrant or Signature, or under or by virtue of the Acts passed in the Twenty-fourth Year of the Reign of His late Majesty *George* the Third, Session Second, Chapter Fifty-seven, the Third Year of the Reign of His late Majesty *George* the Fourth, Chapter Sixty-two, the Seventh and Eighth Year of the Reign of His said Majesty, Chapter Forty-one, or any other Act or Acts of Parliament, or other Authority, together with the Feu Duties, Rents, and Casualties payable out of the said Lands or any Part thereof, shall from and after the passing of this Act be and the same are hereby vested in the said Commissioners of Her Majesty's Works and Public Buildings, and their Successors, for ever, in their Corporate Capacity, for the Purposes specified in the aforesaid Royal Warrants, Signatures, Acts, or other Authority respectively, and shall be maintained and kept in repair by the said Commissioners by and out of such Funds as shall or may be from Time to Time appropriated by Parliament for such Purposes.

Owners of Property near Holyrood empowered to sell same to Commissioners of Works.

XVI. And whereas it may happen that some Person or Persons, or Bodies Politic, Corporate, or Collegiate, or Trustees, or others, who are seised of or entitled to Houses, Ground, or other Subjects near or adjoining to the Precincts of the Palace of *Holyrood* which it may be necessary or desirable for the said Commissioners of Her Majesty's Works and Public Buildings to purchase and acquire for the Public Service, may be willing to treat and agree to sell such Houses, Ground, or other Subjects, but are incapable of granting and conveying the same, by reason of Infancy, or other Disability by Tailzies or otherwise: Be it enacted, That, for the Purpose of acquiring any such Houses, Ground, or other Subjects situate within Five hundred Yards from any Part of the said Palace, "The Lands Clauses Consolidation

Provisions of 8 & 9 Vict. c. 19. incorporated for certain Purposes.

solidation (*Scotland*) Act, 1845," is incorporated with this Act: Provided always, that such Incorporation shall not enable the Commissioners of Her Majesty's Works and Public Buildings to take or acquire such last-mentioned Houses, Ground, or other Subjects otherwise than by Agreement.

SCHEDULE referred to by the Act.

Be it remembered, That by virtue of an Act passed in the Session of Parliament holden in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], the Area of Land situate in West College Street of Edinburgh, herein-after described, and which was vested in the Lord Provost, Magistrates, and Town Council of the City of Edinburgh, subject to certain Trusts, and disponed by them to the Commissioners of Her Majesty's Works and Public Buildings, was transferred to and vested in the said Commissioners for the Purposes and under the Conditions specified or referred to in the said Act of Parliament, and no otherwise, as fully and effectually as if the said Commissioners were infeft and seised therein, and the same, as well as the said Lord Provost, Magistrates, and Council, were declared freed and discharged of the Trusts upon which the said Area of Land was held by the said Lord Provost, Magistrates, and Council, and their Predecessors in the said Subjects, in the same Manner and to the same Effect as if such Trusts had never existed; which Area of Land is described as follows [*here insert the Description of the said Area of Land as given in the before-recited Agreement between the said Commissioners and the said Lord Provost, Magistrates, and Council, or the Description given in the Titles thereof, or both, as may be deemed best for the proper Identification of the Subjects*]. In witness whereof this Memorandum or Abstract of the above-recited Provision of the said Act of Parliament is in pursuance thereof signed by the Right Honourable the Lord Provost of the City of Edinburgh, before these Witnesses,

A. B., Witness.
C. D., Witness.

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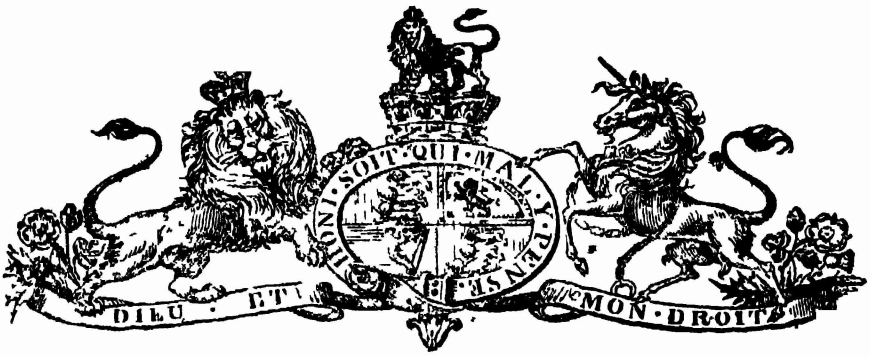

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" the said Provost and Fellows, for the Professor of the *French* and " *German* Languages in the said College, 92*l.* 6*s.* 2*d* like Currency;" and " to the said Provost and Fellows, for the Professor of the *Spanish* " and *Italian* Languages in the said College, 92*l.* 6*s.* 2*d.* like Cur- " rency;" which several Sums are also by the said Act made payable out of and are charged on the Consolidated Fund of *Ireland*, and are now charged on the Consolidated Fund of the United Kingdom: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Payment of certain Sums to Trinity College, Dublin, to cease.

I. That all the said Sums of Money by the said Act made payable to the said Provost and Fellows of *Trinity College, Dublin*, shall from and after the passing of this Act cease to be payable.

Stamp Duties on Matriculation and on Admission to Degrees in Dublin University repealed.

II. All Stamp Duties payable under the Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-two, and the Act of the Fifty-fifth Year of King *George* the Third, Chapter One hundred and eighty-four, or under any other Act of Parliament, on the Admission or Matriculation of any Person in the University of *Dublin*, and on the Admission of any Person to any Degree in the said University (whether conferred in the ordinary Course of the University or otherwise), or for the Registry or Entry, Testimonial or Certificate, of any such Admission, shall from and after the passing of this Act likewise cease to be payable.

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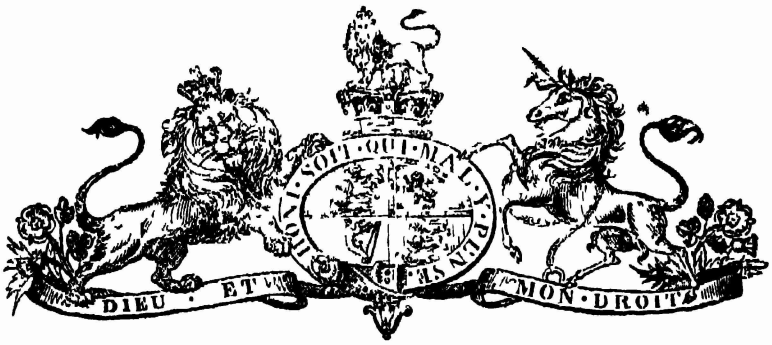

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Roads in Ireland which will expire before 31st July 1856 continued, save those in Schedule.

Day of *July* in the present Year, or at or before the End of the present Session of Parliament, or before the Thirty-first Day of *July* One thousand eight hundred and fifty-six, shall be and the same is hereby continued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the Thirty-first Day of *July* One thousand eight hundred and fifty-six, or if Parliament be then sitting until the End of the then Session of Parliament, save the several Acts for repairing, making, or amending the Turnpike Trust Roads comprised in the "*Dublin* and other Roads Turnpikes Abolition Act, 1855," and specified in the Schedule to this Act annexed.

Certain Acts comprised in 18 & 19 Vict. c. 69. and specified in Schedule to this Act continued to 5th Jan. 1856.

II. The several Acts for making, repairing, and amending the several Turnpike Trust Roads comprised in the said "*Dublin* and other Roads Turnpikes Abolition Act, 1855," and specified in the Schedule to this Act annexed, shall be and the same are hereby respectively continued until the Fifth Day of *January* One thousand eight hundred and fifty-six.

Nothing to prevent Operation of 18 & 19 Vict. c. 69. and certain Irish Acts.

III. Nothing herein contained shall prevent the Operation of the said "*Dublin* and other Roads Turnpikes Abolition Act, 1855," or shall extend or apply to the Acts of the Parliament of *Ireland*, Thirty-eighth *George* the Third, Chapter Twenty-two, and Thirty-ninth *George* the Third, Chapter Fifty-two.

SCHE-

SCHEDULE referred to in the foregoing Act.

SCHEDULE.

Reference to Act.	TITLE.
10 Geo. 4. c. 75. (Local and Personal.)	An Act for making and maintaining the Road leading from Dublin through Blessington and Baltinglass to near the Town of Carlow.
10 Geo. 4. c. 63. (Local and Personal.)	An Act for more effectually repairing the Road from Dublin to Dunleer.
11 & 12 Vict. c. 107. (Local and Personal.)	The Dublin and Mullingar Turnpike Road Act, 1848.
12 & 13 Vict. c. 68. (Local and Personal.)	An Act to continue and amend the Powers of an Act for repairing and improving the Roads from Dublin by Ashbourne to Slane and Drogheda.
38 Geo. 3. c. 31. (Ireland.)	An Act for amending the Road from Dublin to Knocksedan in the County of Dublin.
40 Geo. 3. c. 48. (Ireland.)	An Act to amend an Act passed in the Thirty-eighth Year of the Reign of His present Majesty, intituled "An Act for amending the Road from Dublin to "Knocksedan in the County of Dublin."
26 Geo. 3. c. 30. (Ireland.)	An Act for making, widening, and repairing the Road leading from the City of Dublin to Malahide, and for erecting Turnpike Gates and receiving Tolls thereout in aid of the Barony Presentments, and for appointing Trustees for carrying the said Purposes into execution
28 Geo. 3. c. 48. (Ireland.)	An Act for extending to the Roads leading from Dublin through Raheny and Clontarf the Provisions of an Act passed in the Twenty-sixth Year of His present Majesty's Reign, intituled "An "Act for making, widening, and repairing the "Road leading from Dublin to Malahide, and for "erecting Turnpike Gates and receiving Tolls "thereout in aid of the Barony Presentments, and "for appointing Trustees for carrying the said "Purposes into execution."

Reference to Act.	TITLE.
29 Geo. 3. c. 24. (Ireland.)	An Act for rendering more effectual Two several Acts, One passed in the Twenty sixth Year of His Majesty's Reign, intituled "An Act for making, "widening, and repairing the Road leading from "the City of Dublin to Malahide, and for erecting "Turnpike Gates and receiving Tolls thereout in "aid of the Barony Presentments, and for ap-"pointing Trustees for carrying the said Purposes "into execution;" and the other Act passed in the Twenty-eighth Year of His Majesty's Reign, intituled "An Act for extending to the Roads "leading from Dublin through Raheny and "Clontarf the Provisions of an Act passed "in the Twenty-sixth Year of His Majesty's "Reign, intituled 'An Act for making, widening, "'and repairing the Road leading from Dublin to "'Malahide, and for erecting Turnpike Gates and "'receiving Tolls thereout in aid of the Barony "'Presentments, and for appointing Trustees for "'carrying the said Purposes into execution;'" and also for continuing the said Act.
31 Geo. 3. c. 50. (Ireland.)	An Act for amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, in the said Acts mentioned; and for enabling the Trustees for the said Purposes to borrow further Sums of Money for such Purposes; and for continuing the said Acts for a further Term; and for improving the Neighbourhood of Ballybough Bridge.
32 Geo. 3. c. 37. (Ireland.)	An Act for enabling the Trustees for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, pursuant to several Acts of Parliament, more effectually to carry the said Acts into execution.
33 Geo. 3. c. 26. (Ireland.)	An Act for further amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge; and for enabling the Trustees for the said Purposes to borrow a further Sum to complete a new Communication Eastward of Ballybough Bridge.
38 Geo. 3. c. 41. (Ireland.	An Act for granting certain Tolls, Rates, and Duties to be taken at the Turnpikes on the Road leading

Reference to Act.	TITLE.
	over Ballybough and Annesley Bridges in aid of the Barony Presentments, and in lieu of the Tolls formerly payable at such Turnpikes; and for amending the Laws for making, widening, and repairing the said Roads; and for making perpetual the several Acts of Parliament relating thereto.
56 Geo. 3. c. 71. (Local and Personal.)	An Act for altering and improving Part of the Turnpike Road leading from the City of Dublin to the New Packet Harbour at Howth, for the Conveyance of His Majesty's Mails; and for amending the several Laws relating to the said Road.
59 Geo. 3. c. 109. (Local and Personal.)	An Act for more effectually improving and repairing the Road leading from the City of Dublin to Navan in the County of Meath.
35 Geo. 3. c. 47. (Ireland.)	An Act for making, widening, and repairing the Road leading from the City of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony Presentments.
37 Geo. 3. c. 29. (Ireland.)	An Act for improving and repairing the Roads leading from the City of Dublin to Ratoath and Curragha, and for altering and amending an Act passed in the Thirty-fifth Year of His present Majesty's Reign, intituled "An Act for making, "widening, and repairing the Road leading from "the City of Dublin to Ratoath, and for erecting "Turnpikes thereon in aid of Barony Present-"ments."
39 Geo. 3. c. 46. (Ireland.)	An Act for amending an Act passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled "An Act for improving and repairing the "Roads leading from the City of Dublin to "Ratoath and Curragha," and for altering and amending an Act passed in the Thirty-fifth Year of His present Majesty's Reign, intituled "An Act "for making, widening, and repairing the Road "leading from the City of Dublin to Ratoath, and "for erecting Turnpikes thereon in aid of Barony "Presentments."
30 Geo. 3. c. 46. (Ireland.)	An Act for improving and repairing the Turnpike Road leading from Kinnegad to Athlone.
31 Geo. 3. c. 49. (Ireland.)	An Act to amend an Act for improving the Turnpike Road leading from Kinnegad to Athlone.

Turnpike Acts Continuance (Ireland).

Reference to Act.	TITLE.
32 Geo. 3. c. 36. (Ireland.)	An Act to amend an Act made in the Thirtieth Year of His present Majesty, intituled "An Act for "improving and repairing the Turnpike Road "leading from Kinnegad to Athlone."
50 Geo. 3. c. 134. (Local and Personal.)	An Act to amend an Act passed in the Parliament of Ireland in the Thirtieth Year of His Majesty's Reign for repairing the Turnpike Road leading from Kinnegad to Athlone.

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CAP. LXXXIV.

An Act to provide for the Performance of certain Duties of the Speaker during his temporary Absence from the House of Commons.

[14th *August* 1855.]

WHEREAS the House of Commons have provided by their Standing Orders for the temporary Performance of certain Duties of the Speaker, during his unavoidable Absence, by a Deputy Speaker: And whereas Her Majesty had previously signified Her Consent that the House might do therein as they should think fit: And whereas certain Matters concerning the Office of Speaker are regulated by Statute, and the Validity of Acts done or Proceedings taken during the Absence of the Speaker may hereafter be questioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. If at any Time during a Session of Parliament the Speaker shall be temporarily absent from the House, and a Deputy Speaker shall thereupon perform the Duties and exercise the Authority of Speaker, pursuant to the Standing Orders or other Order or Resolution of that House, every Act done and Proceeding taken in or by the House,

Acts done, &c. by Deputy Speaker during Absence of Speaker, valid.

House, pursuant to any Statute, shall be as valid and effectual as if the Speaker himself were in the Chair; and every Act done, and Warrant, Order, Certificate, Notice, or other Document issued, signed, or published, in relation to any Proceedings of the House of Commons, by such Deputy Speaker, shall have the same Effect and Validity as if the same had been done, issued, signed, or published by the Speaker for the Time being.

Deputy Speaker not to appoint to any Office.

II. Provided, That such Deputy Speaker shall not have Power to appoint to any Office, except for such Time as he shall continue to be Deputy Speaker.

Nothing herein to affect Election of Speaker, &c.

III. Provided also, That nothing herein contained shall affect the Election of a Speaker, or the Forms thereof, or any Prerogative of Her Majesty concerned therein, or otherwise relating to the Office of Speaker.

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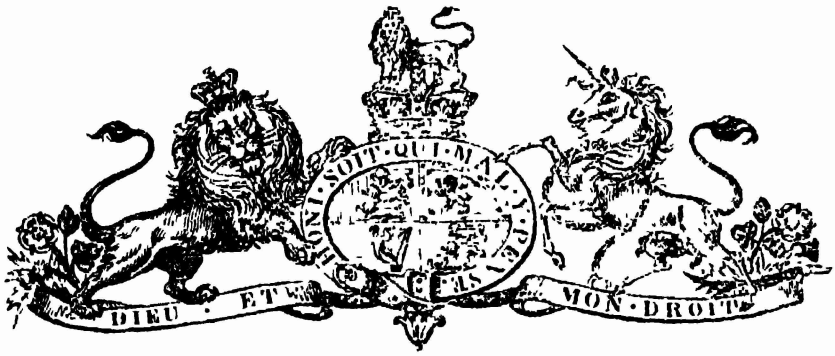

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Robannah: And whereas on the Seventeenth Day of *April* One thousand eight hundred and fifty-four another Engagement was concluded between the said *Arthur Edward Kennedy*, Governor of the said Colony, on behalf of Her Majesty, and a certain other Chief, namely, *John Fortune;* by which said several Engagements it was amongst other things agreed as follows: "The Cruizers of the *British* "Government, or any Officer deputed by his Excellency the Governor "of *Sierra Leone*, whenever they fall in with any Vessels or Boats "belonging to the People of *Sherbro*, suspected of being engaged in the "Slave Trade, may detain and search them, and in case of their finding "that any of the Vessels or Boats aforesaid belonging to the People "of *Sherbro* have violated this Engagement, by the Exportation of "Slaves from the Coasts of *Africa* or elsewhere, they (the Government "Cruizers, or Officers deputed by his Excellency the Governor of "*Sierra Leone*,) may seize and confiscate the same, and the Vessels "and Boats so seized shall be taken to *Sierra Leone*, to be tried by "*English* Law, and when condemned shall be sold, and the Produce "of the Sale shall be divided equally between the Queen of *England* "and the Chief or Chiefs of *Sherbro*, and the Slaves who were found "on board shall be made free:" And whereas it is expedient that effectual Provision should be made for carrying into execution the herein-before recited Provisions of the said several Agreements: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Commanders of Ships of War, &c. to visit and inspect, &c. Vessels belonging to the Sherbro Chiefs.

I. It shall be lawful for the Commanders and other Officers of Her Majesty's Ships of War, or for any Officer deputed by the Governor of *Sierra Leone*, to detain and search in any Seas any Vessel or Boat belonging to *Careybah Caulker*, Chief of *Bombey*, and *Thomas Stephen Caulker*, Chief of the *Plantain Islands*, *Pierre Charley*, King of *Sherbro*, *Harry Tucker*, Chief of *Shebar*, *William Tucker*, Chief of *Bullom* and *Boom* Rivers, *Ibiboo Salifoo*, Chief of "*Jong*," *Mahamadoo Calipha*, Chief of *Barmah*, *Cabouka*, Chief of *Bagroo*, *Pah Rakey*, Chief of *Baly*, *Somanker*, Chief of *Tassermanker*, *Soloko*, Chief of *Robannah*, and *John Fortune*, or to any of their Subjects, which shall upon reasonable Grounds be suspected of being engaged in the Slave Trade, and to send or carry away such Vessel or Boat, together with its Master, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned.

As to the Trial and Condemna-

II. It shall be lawful for the High Court of Admiralty of *England*, and for all Courts of Vice-Admiralty in any Dominions of Her Majesty

Majesty beyond the Seas, to take cognizance of and try any such Vessel or Boat, which shall be detained or captured for the Violation of the said Engagements, and to condemn any such Vessel or Boat to Her Majesty, and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice-Admiralty.

tion of Vessels engaged in the Slave Trade.

III. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Engagement or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England;* and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex.*

Persons giving false Evidence deemed guilty of Perjury.

In case of Prosecution in England, Venue may be laid in Middlesex.

IV. The Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Vessel, Boat, or Cargo, or Slaves taken, seized, or detained by virtue of the said Agreement, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Vessel, Boat, or Cargo, or of any Damage or for any Injury sustained thereby or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Agreement.

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

V. Any Vessel or Boat which shall be condemned as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Vessels condemned to be sold for Her Majesty's Service or broken up

VI. Where

Captors of Vessels condemned entitled to the Proceeds belonging to Her Majesty.

VI. Where any Ship or Vessel employed or engaged in such illicit Traffic in Slaves, in violation of the said Engagements, shall be seized by any Ship or Vessel belonging to Her Majesty, and afterwards condemned, there shall be paid to the Captors the net Proceeds to which Her Majesty is entitled, the same to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Payment of Bounty for Slaves captured.

VII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board any Vessel or Boat taken and condemned in pursuance of the Provisions of the said Agreement and of this Act, such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty shall think fit to order, by any Order in Council, made or to be made, or by any Proclamation for that Purpose.

Additional Bounty on Tonnage of Slave Ships captured and demolished

VIII. Where any Vessel or Boat which shall have been seized and condemned under the Provisions of the said Engagements shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, in addition to the Amount of the Proceeds of such Sale, as herein-before mentioned, a further Bounty on the Tonnage of such Vessel or Boat at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized and condemned, an additional Bounty on Tonnage to be paid.

IX. Where any Vessel or Boat, having no Slaves on board, shall have been seized and condemned under the Provisions of the said Engagements, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the Principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Vessel or Boat shall be seized with Slaves on board in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

X. All

X. All Bounties payable under this Act shall be paid out of such Monies as may be provided by Parliament to the Commanders, Officers, and Crews of Her Majesty's Ships, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties to be paid out of Monies to be provided by Parliament.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Vessel or Boat so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy duly certified of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Proof of Tonnage.

XII. In order to entitle the Captors to receive the said Bounty Money on Slaves, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Copy of Sentence of Condemnation to be produced to the Treasury.

XIII. Where any Slaves or Persons treated as Slaves shall be seized on board any Vessel or Boat taken and condemned in pursuance of the said Agreement and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

One Moiety of the Bounty only to be paid in certain Cases.

XIV. Any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any Vessel confiscated in pursuance of the Provisions of the aforesaid Agreement, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf, and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

Parties claiming Benefit under this Act may resort to Court of Admiralty.

XV. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination,

Regulations and Penalties respecting Prize

Agents Accounts extended to Bounties, &c. under this Act.

Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich Hospital*, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Power to order Payment of Costs awarded for Vessels detained but not condemned.

XVI. Where any Vessel or Boat belonging in whole or in part to either of the before-mentioned Chiefs, or his Subjects or Dependants, shall have been detained and brought to Adjudication under the Provisions of this Act, and the said Ship shall be restored by Sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant, to direct Payment to be made out of such Monies as may be provided by Parliament of any Costs or Damages which may be duly awarded: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payment so made, when lawfully called upon, either by the Parties interested therein or by Order of the said Commissioners of Her Majesty's Treasury.

Power to Treasury to repay to the Seizor of any Vessel not condemned the Expenses incurred by him.

XVII. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant to direct Payment to be made out of such Monies as may be provided by Parliament of such Costs and Expenses as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

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so certified, shall forfeit for every Time any such Congregation or Assembly shall meet a Sum not exceeding Twenty Pounds nor less than Twenty Shillings, at the Discretion of the Justices who shall convict for such Offence: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Prosecution to be maintainable for assembling for Religious Worship in a Place of Meeting not certified.

I. From and after the passing of this Act, nothing contained in the above-mentioned Acts, or in an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Thirty-six, shall apply to the Congregations or Assemblies herein-after mentioned, or any of them; that is to say,

(1) To any Congregation or Assembly for Religious Worship held in any Parish or any Ecclesiastical District, and conducted by the Incumbent, or in case the Incumbent is not resident, by the Curate of such Parish or District, or by any Person authorized by them respectively:

(2) To any Congregation or Assembly for Religious Worship meeting in a private Dwelling House or on the Premises belonging thereto:

(3) To any Congregation or Assembly for Religious Worship meeting occasionally in any Building or Buildings not usually appropriated to Purposes of Religious Worship:

And no Person permitting any such Congregation to meet as herein mentioned in any Place occupied by him shall be liable to any Penalty for so doing.

Construction of certain Parts of 2 & 3 W. 4. c. 115. and 9 & 10 Vict. c. 59. as to Places of Worship of Roman Catholics and Jews.

II. So much of an Act passed in the Second and Third Years of King *William* the Fourth, Chapter One hundred and fifteen, as enacts that Her Majesty's Subjects professing the Roman Catholic Religion, in respect to their Places for Religious Worship, shall be subject to the same Laws as the Protestant Dissenters are subject to, and so much of an Act passed in the Ninth and Tenth Year of Her present Majesty, Chapter Fifty-nine, as enacts that Her Majesty's Subjects professing the Jewish Religion, in respect to their Places for Religious Worship, shall be subject to the same Laws as Protestant Dissenters are subject to, shall be respectively read as applicable to the Laws to which Protestant Dissenters in *England* are subject for the Time being after the passing of this Act.

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CAP. LXXXVII.

An Act to amend the Act for the better Care and Reformation of Youthful Offenders, and the Act to render Reformatory and Industrial Schools in *Scotland* more available for the Benefit of Vagrant Children. [14th *August* 1855.]

WHEREAS it is expedient to amend the Act of the last Session of Parliament, Chapter Eighty-six, "for the better Care and Reformation of Youthful Offenders in *Great Britain*," so far as respects the Provision thereby made for charging the Parent or Step-Parent of an Offender in certain Cases with Payments towards his Maintenance or Support: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 86.

I. Sections Five and Six of the said Act shall be repealed. Sects. 5. and 6. of the Act repealed.

II. In every Case in which any Juvenile Offender shall be detained in a Reformatory School under the said Act, the Parent or Step-Parent, Provision for enforcing Contribution by Parents

to the Maintenance of Juvenile Offenders in Reformatory Schools.

Parent, if of sufficient Ability, shall be liable to contribute to his Support and Maintenance a Sum not exceeding Five Shillings a Week; and it shall be lawful in *England* and *Wales* for any Two Justices of the Peace, upon the Complaint of any Person authorized by One of Her Majesty's Principal Secretaries of State to take Proceedings in that Behalf, to summon the Parent or Step-Parent, as the Case may be, and examine into his or her Ability, and (if on Consideration of all the Circumstances of the Case they think fit) to make an Order upon him or her for such weekly Payment, not exceeding Five Shillings *per* Week, as they shall think reasonable, during the whole or any Part of the Detention of such Juvenile Offender in such Reformatory School, such Payment to be made at such Times as by such Order may be directed to the Person so authorized to take Proceedings as aforesaid, or to such Person as the Secretary of State may from Time to Time appoint to receive the same, and by him to be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

Recovery of Sums ordered to be paid.

III. In case Default be made for the Space of Fourteen Days in Payment of any Sum of Money which may have become payable by such Parent or Step-Parent under such Order, such Sum of Money shall in every such Case be levied upon the Goods and Chattels of the Defendant by Distress and Sale thereof; and if it shall appear to the said Justices on Confession of Defendants or otherwise, or if it shall be returned to the Warrant of Distress in any such Case that no sufficient Goods of the Party against whom such Warrant shall have been issued can be found, it shall be lawful for the Justice to whom such Return is made, or for any other Justice of the Peace for the same County, Riding, Division, Liberty, City, Borough, or Place, by his Warrant as aforesaid, to commit the Defendant to the House of Correction or Common Gaol for any Term not exceeding Ten Days, unless the Sum to be paid, and all Costs and Charges of the Distress, and of the Commitment and conveying of the Defendant to Prison, (the Amount thereof being ascertained and stated in such Commitment,) shall be sooner paid.

Contribution how to be enforced in Scotland.

IV. In *Scotland* an Action for Payment of Sums for the Support and Maintenance of a Juvenile Offender under the said Act shall and may be raised before the Sheriff or any Two Justices of the Peace within the County in which Sentence was passed on the Offender, or in which the Defender in such Action may happen to reside; and such Action shall and may be brought by the Procurator Fiscal of the Sheriff Court of such County, and by no one else; and it shall be lawful for the Sheriff or Justices before whom such Action is brought to inquire into the Circumstances of the Party sued, and to decern for Payment

Payment of such weekly Sum not exceeding Five Shillings *per* Week during the Period of Detention of such Offender as he or they shall think fit, or, in his or their Discretion, to dismiss the Action; and such Decree for Payment of a weekly Sum shall be held to be and have all the Effect of a Decree in each Week for Payment of the Sum ordered to be paid for such Week; and the Sums recovered shall be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

V. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Scotland* for the Lord Advocate, from Time to Time, where such Secretary of State or Lord Advocate shall in his Discretion think fit, to remit all or any Part of any weekly Payment which may have been made payable by any Order under this Act.

Payments may be remitted by Secretary of State or Lord Advocate.

VI. In *Scotland* any Two or more Justices of the Peace shall within the Bounds of their Jurisdiction have the same Powers as are by the said recited Act conferred on any Sheriff, Magistrate of a Burgh, or Police Magistrate.

In Scotland Justices of Peace to have same Power with Sheriff.

VII. And whereas by the Act of the last Session of Parliament, Chapter Seventy-four, intituled *An Act to render Reformatory and Industrial Schools in* Scotland *more available for the Benefit of Vagrant Children*, certain Powers are given to be exercised in *Scotland* by Sheriffs or Magistrates: Be it enacted, That all such Powers may be exercised by any Justice of the Peace in *Scotland* within the Limits of his Jurisdiction; and the Word "Magistrate" as used in the said last-mentioned Act shall be deemed to include the Words "Justice of the Peace."

Powers given to Sheriffs, &c. under 17 & 18 Vict. c. 74. may be exercised by Justices.

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Member of the Town Council, and enjoy the Powers and exercise the Functions theretofore enjoyed and exercised by Deans of Guild, then to such Dean of Guild, praying to have such Contract sanctioned by him and registered as after mentioned, provided that along with such Petition there shall be lodged the Plans and Specifications of the intended Erections or Improvements, and an Estimate of the Cost thereof, including the Cost of the Site and of the Buildings, if any, thereon.

Sheriff, if satisfied with Contract, Plans, &c. may interpone his Sanction and grant Warrant for recording the Contract and proceeding with the Undertaking.

II. The Sheriff or Dean of Guild, after such Inquiry as he may deem necessary, if satisfied that the Provisions of the Contract of Copartnery and the Rules therein contained, either as originally framed or as altered or modified at his Sight, are suitable and proper, and consistent herewith and with Law, and that they sufficiently and properly provide for the Upholding, Management, and Disposal of the said Dwelling Houses, and also for the Occupation thereof, and securing against over-crowding; and that due and sufficient Means are provided in the said Plans and Specifications for the proper Ventilation, Drainage, and Sewerage of the intended Dwelling Houses and for the Supply of Water thereto, and that the Capital subscribed is sufficient for the Completion of the Undertaking, shall grant Warrant for the Erection or Improvement of the proposed Dwelling Houses, and for registering the said Contract in the Sheriff Court Books or Burgh Court Books respectively, and such Contract shall, on the Production to the Sheriff Clerk or Town Clerk of a Deposit Receipt or Certificate showing that One Half of the subscribed Capital has been paid up and lodged in Bank for the Purposes of the Undertaking, be registered therein accordingly.

On Registration, the Members of the Association and their Successors to subsist as an Association for the Purposes of the Act, subject to only a limited Liability for Debts, &c.

III. On the Registration of the Contract as aforesaid, the then Shareholders or Members in any such Undertaking, and all succeeding Shareholders or Members, whilst Shareholders or Members, shall subsist as an Association by the Name or Title set forth in the Contract, for the following Purposes, namely, for acquiring, holding, and managing the Property and Effects of the Association in the Name or Title thereof, and for erecting or improving and afterwards upholding the Dwelling Houses described in the Specification and Plans, and for letting or disponing in Tack such Dwelling Houses, and for sueing and being sued, and entering into Contracts in the Name or Title of the Association. Provided always, that the Shareholders or Members of the Association shall be liable for the Debts, Contracts, and Engagements thereof to the Extent only of their Shares in the Capital Stock of the Association, which Capital Stock, with the Dividends allocated to the Shareholders or Members which may be at the Time unpaid, shall be alone liable for the Debts and Engagements of the Association.

IV. Any

IV. Any such Association as aforesaid whose Contract may have been registered as herein-before provided, desirous of erecting or of acquiring and improving additional Dwelling Houses for the Purposes aforesaid, may at any Time, and from Time to Time, apply to the Sheriff or Dean of Guild, by Petition accompanied by Plans, Specifications, and Estimates as herein-before provided in regard to the Dwelling Houses before mentioned, for his Sanction and Warrant for the Erection or Improvement of such additional Dwelling Houses subject to the Rules and Provisions contained in such Contract; and the Sheriff or Dean of Guild, if satisfied that all the Conditions herein-before required in reference to Dwelling Houses to be erected or improved under the original Application by the Association have been fulfilled in reference to such additional Dwelling Houses, may interpone his Sanction to the Erection or Improvement of such additional Dwelling Houses, and grant his Warrant accordingly, and the aforesaid Provisions in reference to the first-mentioned Dwelling Houses shall be applicable to such additional Dwelling Houses.

Association may acquire Property and Sheriff may grant Warrant for Erection of additional Dwelling Houses.

V. When the Buildings or Improvements set forth in the Plan and Specifications, whether under the original or any subsequent Petition by the Association, shall have been executed, the Sheriff or Dean of Guild shall, on Application by the Association, appoint the Dwelling Houses so erected or improved to be inspected at the Expense of the Association, and if satisfied that these have been duly executed in Terms of the Plans and Specifications, and on Proof that the Property of the said Dwelling Houses has been duly vested in the Association, free from Heritable Debt or Burden other than Feu Duty or Ground Annual, and other Right competent to the Superior or Recipient of the Feu Duty or Ground Annual, he shall pronounce an Interlocutor to that Effect, and until such Interlocutor shall have been pronounced it shall not be lawful for the Association or its Members to dispone in Tack, as after mentioned, any of the Dwelling Houses erected or improved by them, nor to assign or transfer any Share or Shares in such Association.

When Work duly executed Sheriff to declare so, and till then not lawful to let or dispose of Houses nor transfer Shares.

VI. It shall not be lawful to nor in the Power of the Association to enter into any Engagement except for carrying into effect the Objects thereof, nor for that Purpose beyond the Capital subscribed, nor afterwards beyond the Rents derived from Tenants which may be realized at the Time: Provided always, that if the Expense actually incurred in the Erection or Improvement of the said Dwelling Houses shall exceed the estimated Cost, it shall be lawful for the Association, with the Sanction of the Sheriff or Dean of Guild, although not specially provided for in the Contract, to increase their Capital

No Engagement lawful except for Purposes of Association or beyond Stock or Rents.

Capital Stock by such Amount as such Sheriff or Dean of Guild shall authorize, and to issue new Shares to the Extent thereof.

Title of Association to be effectual in perpetuity, without Renewal of the Investiture.

VII. When the Association shall have made up their Title in common Form to the Lands, Houses, or other Subjects acquired by them, their Infeftment therein, duly recorded, shall constitute a valid and effectual Title to them and their Successors in all Time to come, without the Necessity of any Renewal of the Investiture: Provided always, that where no Agreement shall have been made with the Superior for a periodical or other Payment in lieu of the Casualty or Composition payable upon the Entry of Heirs and singular Successors, it shall be lawful for such Superior at the Death of the existing Vassal, and at the Expiration of every Twenty-five Years thereafter, so long as such Property shall be held for the Purposes of such Contract as aforesaid, to demand and take from the Association or their Successors a Sum equal to the yearly Feu Duty over and above the Feu Duty which may at the Time be due.

Rules in Contract to be Real Burdens on the Property.

VIII. The Rules anent the disponing in Tack, letting, and Occupation of the said Dwelling Houses contained in the Contract registered as aforesaid shall be Real Burdens on and affecting the said Houses and other Subjects of the Association, and shall be in all Time coming binding upon the Association, and all Parties in their Right, and upon every Owner and Occupant of the said Dwelling Houses, and it shall be competent to the Association, or the Procurator Fiscal, or the Owner or Occupant of any of the Lots or Portions of the Buildings, to enforce Observance of such Rules against any Party infringing or not implementing the same by summary Process before the Judge Ordinary of the Bounds; and the Sheriff and Dean of Guild shall have Power from Time to Time, on the Application of the Association, or of a Majority of the Owners, to alter, amend, and modify such Rules as to him shall seem just, but consistently always with the Provisions of this Act, and all Alterations so made shall be recorded in the Sheriff Court Books or Burgh Court Books, and the Rules so altered, amended, or modified shall thenceforward be binding and enforcible as aforesaid.

Shares to be deemed Moveable Estate.

IX. All Shares of the subscribed Capital Stock of such Association shall be held to be Moveable or Personal Estate.

As to Transfer of Shares.

X. All Transfers of such Shares shall be made and registered in the Manner prescribed by the Contract, provided that every such Transfer shall specify the full and true Purchase Money or Consideration for the same, and shall be duly stamped to denote the Duty chargeable thereon; and the Books in which the Names of the Shareholders, with their Designations and Places of Residence, and the Transfers

Transfers of Shares are registered or entered, shall be open to Inspection to all Shareholders and others interested at such Times and on such Conditions as may be regulated by the Contract.

Contract may provide either that Houses may be held and let or that they may be disposed of in separate Lots.

XI. It shall be provided in such Contract as aforesaid, either that the Buildings erected or improved by the Association shall permanently be held and let by them without Grassums, and for Periods not exceeding Twenty-one Years, and that the Rents, after deducting necessary Expenses, shall always be divided among the Shareholders for the Time being, or that the Association shall have Power, after giving public Notice by Advertisement of its Intention in that Behalf, to dispone to Individuals, in Tack or rental Rights as hereinafter mentioned, separate Lots of the said Dwelling Houses for a Grassum or Price to be paid, together with a yearly Tack Duty which for each Lot shall be at least equal to a Proportion of the Feu Duty or Ground Annual, if any, payable for the Parcel of Ground whereon the Buildings of which such Lot forms a Part are erected, corresponding to the total Number of Lots into which the same may be divided, with Twenty-five per Cent. thereon in addition, and such Tack Duty in all Cases in which the Superior is entitled to a periodical Duplicand of the Feu Duty shall be subject also to Duplication for the Year in which such double Feu Duty is payable to the Superior.

Where Lots are provided to be disposed of, the Association to lodge with Sheriff Clerk a Plan and a Register Book for recording Transfers thereof.

XII. In all Cases in which it is provided by the Contract that Lots of the Buildings erected or improved may be so disponed, the Association shall, so soon as the Sheriff or Dean of Guild shall have pronounced an Interlocutor finding the Erection or Improvement of the Dwelling Houses as aforesaid to have been properly executed as herein-before provided, lodge with the Sheriff Clerk or Town Clerk an accurate Plan, on a Scale of not less than an Inch to each Twenty Feet, of such Dwelling Houses, exhibiting distinctly each separate Dwelling with its bounding Divisions, together with the Yard, Court, Garden, Green, or other Pertinents, if any, thereto belonging, and having each such separate Dwelling and Pertinents marked with a distinct Number legibly written or impressed on the said Plan, and also exhibiting any Yard, Court, Green, or other Pertinents which may be common to the Occupants of the Dwelling Houses; and the Sheriff or Dean of Guild, if satisfied of the Accuracy of such Plan, and with its Distinctness as clearly exhibiting each separate Dwelling and the Pertinents aforesaid, shall, by a Docquet written thereon, or on each separate Sheet thereof when consisting of separate Sheets not joined together, and subscribed by him and bearing the Date at which the same is so subscribed, certify such Plan as the recorded Plan of the said Dwelling Houses; and the Association shall also lodge with the Sheriff Clerk or Town Clerk a

Register or Rental Book having all the Pages duly and progressively numbered from Number One onwards, and having an equal Number of the whole Leaves thereof in proportion to the total Number of Dwellings appropriated for entering the Tack or Rental Right of each Dwelling respectively, and the Transfers thereof, and in the Order of the Numbers of such Dwellings as marked on the Plan, the Number of each Dwelling as so marked on the Plan being, in addition to the Number of the Page, legibly impressed or written on each Page of the several Leaves appropriated to each such Dwelling respectively, and this Book shall, of the same Date with that on which the Plan is docqueted, be certified by a Docquet subscribed by the Sheriff or Dean of Guild with the Date of his Subscription to be the Register or Rental Book for the Tacks or Rental Rights of the several Lots of the Buildings erected or improved by the Association under each separate Warrant as aforesaid, and the Transfers thereof; and the said Plan and Register Book shall permanently remain in the Custody of the said Sheriff Clerk or Town Clerk, and no Transfer of the Tack or Rental Rights of any such Lot or Dwelling House shall be valid or effectual unless entered as hereinafter provided in the said Book.

Mode of disponing Lots by the Association.

XIII. Whensoever the Association shall grant to any Person a Tack or Rental Right of any of the Lots of their said Buildings, the same shall be so granted by an Entry at the Top of the First Page of the Leaves appropriated to the particular Lot or Dwelling to be so disponed in the Form of the Schedule (A.) hereunto annexed, subscribed, in Presence of the Sheriff Clerk or Town Clerk and Two Witnesses, by the Chairman or Clerk of the Association and by the Party accepting the Tack or Rental Right, or by some Person authorized by a written Mandate in the Form of the Schedule (B.) hereunto annexed to accept on his Behalf, and which Mandate shall be lodged with the Sheriff Clerk or Town Clerk, and recorded in the Sheriff Court or Burgh Court Books; and the said Sheriff Clerk or Town Clerk and the Two Witnesses shall attest the said Entry by their Subscriptions, and such Tack or Rental Right shall thereby be completed, and shall be valid and effectual notwithstanding of no Ish being stipulated thereto to the Party in whose Favour it shall have been granted, and to his Heirs and Assignees, who shall thenceforward be entitled to the perpetual Possession, Use, and Enjoyment of the Lot or Dwelling so disponed and the Pertinents thereof, if any, with the Share effeiring thereto of any common Privileges and Accommodations provided for or belonging thereto, subject always to the Rules and Conditions of the Contract, with Power to occupy, let, and transfer or assign the Right to such Lot or Dwelling, subject to such Rules and Conditions; and he and they shall not be liable for, nor shall the Lot or Dwelling itself,

itself, or the Furniture or Effects therein, be subject to any Charge, Debt, or Burden affecting the Buildings or Site thereof, or due by the Association, to any Extent beyond the Tack Duty payable for such Lot: Provided always, that this Provision shall not be construed as freeing such Owners from any public or parochial Rates or Taxes to which they may be liable by Law in respect of their Right to or Occupation of such Lot or Dwelling, nor from any Restrictions, Limitations, or Conditions contained in the feudal Investiture, and to which they would otherwise in Law be subject, in so far as not expressly modified by this Act.

Recovery of Feu Duty.

XIV. If when Tacks or Rental Rights have been granted as aforesaid the Association, or the Owners in their Place, shall in any Year fail to make due Payment to the Superior in One Sum of the yearly Feu Duty or Duplicand thereof when claimable, such Superior shall be entitled to recover from each Owner the Tack Duty or Duplicand thereof payable by him for such Year, and in consideration of his Trouble and Expense in separately collecting the same to appropriate the whole of the Tack Duties to his own Use, notwithstanding their exceeding by Twenty-five *per Cent.* the Amount of Feu Duty or Duplicand to which he may have Right; but he shall not in any event be entitled to exact from any such Owner a greater Sum than the Tack Duty stipulated in his Tack or Rental Right, or the Duplicand thereof, as the Case may be; and no Poinding of the Ground shall be competent for the Recovery of any Feu Duty or Duplicand thereof, or of any Casualty or Ground Annual, from any Owner, except to the Extent of such Tack Duty or Duplicand thereof, as the Case may be.

Powers of Owners in repairing and rebuilding.

XV. The Owner of each separate Tenement, and the several Owners of the Lots or Dwellings in each separate Tenement, shall have Power to uphold, repair, and when necessary rebuild such Tenement, subject to the Rules herein-before mentioned; and the Resolutions of the Majority of such several Owners in all Matters concerning such repairing, upholding, and rebuilding, in so far as not inconsistent with such Rules, shall bind the Minority, and the Majority shall be entitled to sue the Minority for the Enforcement of such Resolutions by summary Process before the Sheriff or Dean of Guild, who shall have Power to determine the Proportion of the Cost of such repairing, upholding, and rebuilding to be borne by each Owner when disputed; and if the Association shall at any Time be dissolved or cease to exist, the Owners for the Time being of the Lots of the Dwelling Houses erected on any Parcel of Ground held by One Title and under a single Superior shall be deemed their Successors, to the effect of constituting as a Society or Corporate Body the Vassal in such Ground, but without being subject to any further

further Obligation or Liability than is herein-before provided in regard to such Owners.

As to subsequent Transfers.

XVI. All Transfers of Tacks or Rental Rights to such Lots or Dwellings shall be made by Entry in the said Register or Rental Book under the Number of the Lot or Dwelling to be transferred as marked on the Plan, and next after the immediately preceding Transfer, in the Form of the Schedule (C.) hereunto annexed, and the same shall be subscribed in Presence of the Sheriff Clerk or Town Clerk and Two Witnesses, by the Party making and by the Party accepting the Transfer, or their respective Mandatories duly authorized by written Mandate lodged and recorded as aforesaid, and also by the said Sheriff Clerk or Town Clerk and Witnesses; and thereupon the Party in whose Favour such Transfer is made shall be vested with the Right transferred, as the same subsisted in the Party to whom it was originally granted by the Association when so originally conveyed, and free from all Burdens, Debts, and Claims through or in right of the Granter of the Transfer or any previous Owner.

Mode of registering Right of the Representative of a Party deceased.

XVII. Where any Party in right of any such Lot or Dwelling as aforesaid shall have died without executing a Transfer thereof in manner above mentioned, the Person claiming Right thereto, whether by Succession, or in virtue of any Deed of Settlement or Conveyance by the Deceased, shall apply to the Sheriff or Dean of Guild for his Warrant to be entered in the Register or Rental Book, as now in right of such Lot or Dwelling; and the Sheriff or Dean of Guild if satisfied, after such Intimation of the Application as he may deem proper, and hearing such Parties duly interested as may appear to oppose the same, that the Applicant is justly entitled to such Lot or Dwelling, shall, without any Service or other Process at Law, cause an Entry to that Effect in the Form of the Schedule (D.) hereunto annexed to be made in the Register or Rental Book under the Number of the Lot or Dwelling held by the Deceased, and next after the Transfer in favour of the Deceased, which Entry shall be subscribed by the said Sheriff or Dean of Guild and by the Sheriff Clerk or Town Clerk, and thereupon the full Right to such Lot or Dwelling, with the Pertinents and Privileges thereto belonging, shall be vested in such Applicant.

Inhibitions and Adjudications.

XVIII. Where any Party shall have used Inhibition or obtained Decree of Adjudication against the Owner of any such Lot or Dwelling as aforesaid, the Sheriff Clerk or Town Clerk shall, on the Letters of Inhibition or an Extract of the Decree of Adjudication being presented to him, make an Entry of the same on the Margin of the Register or Rental Book, opposite the Entry of such Owner's Right, specifying the Name of the Inhibiter or Adjudger, with the Date

Date of the Inhibition or Adjudication, the Registers in which they are recorded, and the Date of recording, together with the Date of such Entry; and if such Inhibiter or Adjudger fail to get such Entry made, the Inhibition or Adjudication shall not affect or burden such Lot or Dwelling, or the Owner thereof in reference thereto, or any Purchaser from such Owner; but while such Entry of an Inhibition or Adjudication remains not marked as recalled or discharged, and the Sheriff Clerk or Town Clerk is hereby required so to mark it on legal Proof of Recal or Discharge being presented to him, no Transfer shall be entered by such Sheriff Clerk or Town Clerk, or, if entered, it shall not be available as against such Inhibiter or Adjudger; and where an Adjudger shall have obtained Decree of Declarator of Expiry of the Legal, it shall be lawful for him to apply to the Sheriff or Dean of Guild to be registered as the Owner in Right of the Tack or Rental Right of his Debtor, and in like Manner it shall be lawful for any Adjudger in Implement, or for the Trustee on the sequestrated Estate of any Owner, to apply to the Sheriff or Dean of Guild to be registered as Owner in his Place, and the Sheriff or Dean of Guild shall, on Production to him of an Extract of the Decree of Declarator, or of Adjudication in Implement, or of a duly certified Copy of the Act and Warrant of Confirmation of such Trustee, cause an Entry in Form of the Schedule (E.) to this Act annexed to be inserted in the Register or Rental Book under the Number of the Lot or Dwelling belonging to the Debtor or Bankrupt, and next after the Transfer in his Favour, and thereupon the full Right to such Lot or Dwelling, with the Pertinents and Privileges thereto belonging, shall be vested in such Adjudger, Adjudger in Implement, or Trustee.

Each Dwelling shall constitute a distinct Lot not liable to Subdivision.

XIX. Each separate Dwelling shall constitute a distinct Lot, and shall consist of not less than Two nor more than Five Rooms with Fireplaces, and it shall not be competent or lawful to divide any of such Lots or Dwellings into Shares or separate Properties, but each Lot or Dwelling shall at all Times be transferred and pass whole and undivided.

Fees for recording Entries in Register Book.

XX. The several Entries aforesaid in the Register or Rental Book shall be written by the Sheriff Clerk or Town Clerk, or by a Clerk employed by him and under his Direction and Supervision, and such Sheriff Clerk or Town Clerk shall be entitled to charge and to receive for each First Grant of a Tack or Rental Right of any Lot or Dwelling, including the first Extract thereof, a Fee of Ten Shillings, and for each subsequent Transfer or Entry, including the first Extract thereof, a Fee of Five Shillings, and for the Entry of an Inhibition or Adjudication, or the marking of the Recal or Discharge thereof, a Fee of One Shilling respectively.

The Stamp Duties on Tacks and Transfers may be denoted by impressed or adhesive Stamps.

Adhesive Stamps to be adapted for certain Particulars.

XXI. The Stamp Duties by Law chargeable upon or in respect of the Tacks to be made in pursuance of this Act, and of the Transfers thereof, may be denoted either by Stamps impressed upon the Paper upon which the same are made or entered, or by adhesive Stamps to be provided by the Commissioners of Inland Revenue, and to be affixed thereto, and such adhesive Stamps shall be adapted for writing thereon the Name or Title of the Association, the Names of the Parties to the Instrument to which the same shall be affixed, and of the Sheriff Clerk or Town Clerk, and the Date of such Instrument or of the Entry thereof, and of the Number of the Lot or Dwelling to which the same relates as marked on the Plan; and every such Stamp at or before the Execution or signing of the Instrument to which the same shall be affixed shall be signed in the Places appropriated for the Purpose by the Persons who shall execute or sign such Instrument, and the Sheriff Clerk or Town Clerk, with their Names respectively (and shall be truly filled up with all such other Particulars relating to such Instrument for which the same shall be adapted); and in default the Instrument to which the same shall be affixed shall be deemed to be not duly stamped, and the Sheriff Clerk or Town Clerk who shall attest or sign any such Instrument upon or to which the full and proper Stamp Duty is not impressed or affixed according to the true Intent and Meaning of this Act shall forfeit the Sum of Twenty Pounds.

Register Book open to Inspection, and Extract of Entries to be received in Evidence.

XXII. The Register or Rental Book shall be open to Inspection, under such Regulations as the Sheriff or Dean of Guild may appoint, by all Parties desirous to search the same; and for every Search a Fee of One Shilling shall be payable to the Sheriff Clerk or Town Clerk in respect of each separate Lot or Dwelling as to which such Search shall be made; and the Sheriff Clerk or Town Clerk shall be bound to give to any Person demanding the same a certified Extract of any Entry in the Register Book on receiving for the Extract of each such Entry a Fee of Two Shillings and Sixpence, and such Extract shall bear Faith and be admissible in Evidence in any Court of Law or Equity, and when accompanied by a Certificate under the Hand of the Sheriff Clerk or Town Clerk that no subsequent Transference of the Lot or Dwelling to which it applies appears on the Register Book, it shall be sufficient Proof that the Person therein set forth as the Party to whom such Lot or Dwelling has thereby been transferred is the Owner of such Lot or Dwelling.

Power to require dilapidated or

XXIII. Where there shall exist within a Town or Burgh any Building or Range or Block of Buildings which, by reason of Faults in their

their original Construction or of the State of Dilapidation into which they may wholly or partially have fallen, are unsuitable for Dwelling Houses, and the Occupation of which in their existing State and Condition is attended with Risk of Injury or Disease to the Inhabitants or the Neighbourhood, or which, by reason of the Abandonment of the whole or Part thereof by the Parties having the legal Title thereto, or of Uncertainty or Ignorance as to who such Parties may be, may have become a Receptacle or Place of Harbourage for Persons of dissolute and vicious Character, or in any way a Nuisance to the Neighbourhood, it shall be lawful for any such Association as aforesaid desirous of acquiring the same for the Purpose of improving and repairing such Buildings, or of erecting new Dwelling Houses on the Site thereof, for Dwellings for the Working Classes under this Act, to apply to the Magistrates and Town Council of the Town or Burgh for their Consent to the Application to the Court of Session herein-after mentioned; and the said Magistrates and Town Council, if satisfied, upon such Inquiry as they may think necessary, the Expense of which shall be borne by the said Association, that the State of such Building or Block of Buildings, from One or more of the Causes above mentioned, gives Occasion to the Risk of Injury or Disease to the Inhabitants or Neighbourhood, or that they afford Harbourage to Persons of a vicious or dissolute Character, or otherwise constitute a Nuisance to the Neighbourhood, may require the Proprietors or reputed Proprietors of such Buildings, or their Factors or Agents, so far as such Proprietors, reputed Proprietors, Factors, or Agents may be known, within Three Months after Requisition made to them to grant Obligation to execute, within such reasonable Time as the Magistrates and Town Council may fix such Operations in the way of rebuilding, altering, repairing, draining, or otherwise, as the said Magistrates and Town Council may deem necessary for the Avoidance of such Risk or Nuisance in Time to come, and also to find Security to their Satisfaction that such Buildings shall not thenceforward be allowed to afford such Harbourage as aforesaid; and if within the said Three Months no such Obligation be granted, or no such Security be found, or if within the Period fixed by the said Magistrates and Town Council such Obligation, if granted, shall not be implemented, it shall be lawful for them to give such Consent as aforesaid, and on such Consent being given it shall be lawful for such Association to apply by summary Petition to the Court of Session, in either of its Divisions, for Authority to acquire such Building, or Range or Block of Buildings, for the Purposes aforesaid or either of them, at a Price to be fixed in manner herein-after provided, and to have the same adjudged to them for such Purposes.

Noisome Buildings in Towns.

XXIV. On

Court may remit to Sheriff to ascertain Value.

XXIV. On such Petition being presented the said Court shall order Service thereof upon the Proprietors or reputed Proprietors of the Property sought to be acquired, or their Factors and Agents, so far as such Proprietors, reputed Proprietors, or Factors may be known and such Intimation by public Advertisement as they shall deem proper: and after hearing any of such Proprietors as may make Compearance, and after such Inquiry by Report of skilled Men or otherwise as they may see fit, the Expense whereof shall be borne by the Association, if satisfied that the State of the Buildings sought to be so acquired gives Occasion to the Risk of Injury or Disease to the Inhabitants or Neighbourhood, or that they afford Harbourage to Persons of dissolute or vicious Character, or otherwise constitute a Nuisance to the Neighbourhood, and that it would be for the public Advantage that the said Buildings or any Portion thereof should be acquired for and appropriated to the Purposes aforesaid, they shall pronounce an Interlocutor containing their Finding to such Effect, and remitting to the Sheriff to take Steps for having a Price or Value put upon the same; and if the said Court shall refuse such Petition they shall have Power to award against the Association to any Parties appearing and opposing the same the whole or such Part of the Expenses incurred by them as to the said Court shall seem just.

Sheriff to ascertain Value according to Provisions of Land Clauses Act.

XXV. On the Remit so made being presented to the Sheriff, he shall forthwith proceed to have the Price or Value of the said Buildings and Site thereof determined according to the Provisions for determining the Value or Compensation to be paid for Lands and Heritages taken for public Undertakings contained in an Act passed in the Eighth and Ninth Years of Her Majesty, Chapter Nineteen, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature in* Scotland: Provided always, that a separate Price shall be ascertained for every Part or Portion of such Buildings known to belong to distinct Proprietors.

Value or Price, when ascertained, to be lodged in Bank in Name of Accountant of Court of Session, and Court thereupon to adjudge Property to Association.

XXVI. When such Price or Value shall thus have been fixed, the Association shall within Fourteen Days thereafter pay into any of the chartered Banks of *Edinburgh* the Amount so fixed, with an additional Sum on the Price of each separate Property, conform to the Rates set forth in the Schedule (F.) to this Act annexed, to provide for the Expenses herein-after mentioned, the Money so lodged being placed to the Credit of the Accountant for the Time being of the Court of Session; and the Association shall further lodge with the Accountant Certificates of a complete Search of Incumbrances in reference

reference to each such Property; and on such Accountant reporting to the Court that the Money has been so lodged, and that a Receipt therefor in his Name has been delivered to him, and that Certificates of a complete Search of Incumbrances as aforesaid have also been lodged with him, the said Court shall adjudge and decern the Buildings aforesaid and Site thereof, or such Portion of the same as they may have found it for the public Advantage to be acquired as aforesaid, and the Price or Value of which has been duly lodged in the Bank as herein-before provided, to belong to the Association for the Purposes aforesaid, and on an Extract of their Decree being recorded in the General or Particular or Burgh Register of Sasines, which the Keeper of such Register is hereby required to record on Payment of the usual Fees when the same is presented to him, the absolute Right of Property in and to the said Buildings and the Ground whereon they stand, with the Pertinents and Appurtenances thereof, shall be vested in the said Association and their Successors without any other Title, and these shall thenceforward belong to and be held by the said Association and their Successors for the Purposes foresaid, free from all Right of Challenge on the Part of any Person claiming to have been the true Owner thereof, or to be in right of the true Owner, and free from all Heritable Securities or Burdens other than any Feu Duty or Casualty payable to the Superior, or any Right of Servitude belonging to the Proprietors of neighbouring Tenements: Provided always, that where no Agreement shall have been made with the Superior for a periodical or other Payment in lieu of the Casualty or Composition payable upon the Entry of Heirs and Singular Successors, it shall be lawful for such Superior, at the Death of the existing Vassal, and at the Expiration of every Twenty-five Years thereafter, so long as such Property shall be held for the Purposes aforesaid, to demand and take from the Association or their Successors a Sum equal to the yearly Feu Duty over and above the Feu Duty which may at the Time be due; and the Money lodged as aforesaid as the Price or Value of such Buildings, and the Site thereof, or of any Part of the same, shall be a Surrogate for the Buildings themselves, and Site thereof, or Portion thereof respectively, to the Proprietors and all Parties claiming any Heritable Right, Burden, or Security in or over the same; and such Money, till paid as herein-after mentioned, shall be subject to all Claims by such Proprietors or other Parties to which the Buildings, and Site or Portion thereof, if not acquired as aforesaid, would have been subject.

Accountant to receive Claims on Money lodged;

XXVII. So soon as the Decree of Adjudication shall have been pronounced as aforesaid, the Accountant of the Court of Session shall, by such special Intimation and public Advertisements as he shall

shall deem proper, the Expense of which Intimation and Advertisements shall be defrayed out of the Per-centage herein-before mentioned, call all Parties claiming to be Proprietors or to be entitled to any Annuity, Heritable Debt, or other Burden out of the Buildings aforesaid or Rents thereof, to compear before him by themselves or their Agents, and to lodge with him a written Statement of their Claim, together with the Titles or other Deeds or Writings establishing the same, and such Parties shall be entitled to apply, by Motion, to the Division of the Court of Session in which the Petition for Adjudication shall have depended, for a Diligence to recover such Titles, Deeds, or Writings necessary to establish their Claim as may not be in their own Possession, and the said Court shall do thereon as shall seem to them to be just.

and to prepare a Scheme of Division.

XXVIII. On receiving the Claims which shall be so lodged, with the Titles, Deeds, and Writings produced, the said Accountant shall consider the same, and shall have Power to call for such Explanations or further Productions, and to take such Assistance by the Opinion of professional or skilled Persons as he may deem necessary, and to hear competing Parties, if any such appear before him; and thereupon he shall prepare a Scheme of Division and Payment of the said Price or annual Proceeds thereof, according to the respective Rights and Interests of the Parties, as to those Portions of the Price to which, or to the annual Proceeds whereof, he is satisfied that a valid Right has been instructed; and he shall append to such Scheme a Statement of those Portions of the Price to which, in his Opinion, no valid Right has been instructed, or in regard to which no Claim may have been made, or which may be required to satisfy or secure any Rights appearing from the Search of Incumbrances, and remaining undischarged, as to which no Claim has been entered or established, and he shall cause public Notice, by such Advertisement as he may deem proper, to be made, that the said Scheme has been prepared, and that it lies for Inspection at his Office, or at some other suitable Place appointed by him for that Purpose; and the said Scheme shall accordingly lie there, open for Inspection to all Parties interested for a Period of not less than Three Weeks from the Date of the First Advertisement.

Party dissatisfied with Scheme may appeal to Court of Session.

XXIX. It shall be competent for any Claimant or Party competing who shall be dissatisfied with the proposed Scheme of Division, to appeal against the same, so far as objected to by him, by Note to the Division of the Court of Session in which the Petition for Adjudication depended; and the said Court, after hearing Parties, shall dispose of the said Appeal and the Expenses thereof as to them shall seem just.

XXX. At

XXX. At the Expiry of the Period allowed for the Inspection of the Scheme of Division as aforesaid, the said Accountant shall grant Orders on the Amount lodged in Bank in his Name as aforesaid, for Payment of the Sums set forth in the said Scheme of Division, or the annual Proceeds thereof, as to which no Appeal has been taken, in favour of the Parties to whom those have been allotted in the said Scheme, and so soon as any Appeals that may have been taken shall have been disposed of by the said Court, he shall grant Orders for Payment of such Sums as may have been the Subjects of such Appeal in accordance with the Judgments of the Court pronounced thereupon; and in regard to any Portions of the Price as to which no Claim may have been made, or which he may have considered necessary to satisfy or secure Rights appearing from the Search of Incumbrances, or as to which he may have found that no valid Right has been instructed, and his Finding to this Effect may not have been appealed against, or, if appealed against, may have been adhered to by the Court, the said Portions of the Price shall be retained by him, subject to the Directions of the Court in regard to its Investment, till a valid Right shall have been instructed: Provided always, that it shall be competent for any Party conceiving himself to have Right thereto to lodge with the said Accountant at any Time thereafter his Claim, which, after being publicly intimated by such Party as the said Accountant may direct, shall be dealt with and disposed of in the Manner herein-before provided as to the Claims originally lodged as aforesaid.

Accountant to divide Price, retaining the Amount unclaimed or to which no Right made good.

XXXI. The Expense of Advertisements and Intimations required as aforesaid to be made by the said Accountant, and of taking any Opinion of professional or skilled Men which he may deem necessary, and of framing and reporting to the Court the Scheme of Division, shall be defrayed by him out of the Sum beyond the Price to be deposited as herein-before mentioned, and any Balance thereof remaining after such Scheme has been framed shall be repaid by him to the Association, and any further Sum which may be required to meet such Expenses shall be paid by the Association; and as to all other Expenses of the respective Claimants and Objectors, the Court shall have Power to award Payment thereof by and to such Persons as to the said Court may seem just.

Expenses of Procedure.

XXXII. The said Accountant shall annually lay before the First Division of the Court of Session a State of the Monies lodged in his Name under this Act, and not paid away and distributed as aforesaid, and the said Court shall give such Directions as to the Investment thereof, and of the accruing Interests, and as to the Publication of such State as to them may seem proper, the Expense of such Publication being defrayed out of such accruing Interest.

Accountant yearly to lay before Court a State of retained Monies.

XXXIII. Every

Interest on Monies lodged in Bank to be yearly added to Capital.

XXXIII. Every Bank with which any of the Monies aforesaid shall be deposited in Name of the said Accountant shall, once at least in every Year, accumulate the Interest with the Principal Sum, so that both shall thereafter bear Interest together as Principal; and any Bank failing so to do shall be liable to account as if such Money had been so accumulated.

Sheriff may in certain Cases sanction the Disposal of the Buildings for other Objects.

XXXIV. It shall be lawful for any such Association as aforesaid, at any Time after the Lapse of Ten Years from the Date of any Warrant authorizing the Erection or Improvement of any Dwelling Houses under this Act, to present to the Sheriff or Dean of Guild an Application praying for his Authority to sell and dispone the Dwelling Houses erected or improved under such Warrant free from the Rules of the Contract recorded as aforesaid, and from the Provisions of this Act: Provided always, that Votes to the Extent of Four Fifths of the Shareholders, or where the Dwelling Houses shall have been disponed in Tack as aforesaid that the Consent of Four Fifths of the Owners of the Dwelling Houses proposed to be sold, shall have been given in favour of the Resolution to make such Application, and the Sheriff or Dean of Guild, if after hearing any Shareholder or Owner who may appear to oppose the same he shall be satisfied that from Change of Circumstances or other Causes the Objects of the Association will no longer be attained in reference to such Dwelling Houses, may pronounce an Interlocutor authorizing the same, with the Pertinents thereof, to be sold and disponed; and on such Interlocutor being recorded in the Register of Sasines in which the Infeftment of the Association was recorded, the Keeper of which is hereby required to record the same on Payment of the usual Fees, it shall be lawful for such Association to sell and dispone such Dwelling Houses and Pertinents and to grant Dispositions to the Purchaser or Purchasers in common Form, and such Purchaser or Purchasers shall thereupon acquire Right to and shall hold the same free from the Provisions and Rules of the Contract of the Association, and from the Provisions of this Act, and from any Right or Claim on the Part of any of the Shareholders of such Association, or of the Owners, or of any one claiming through or in right of any such Shareholder or Owner, and the Price or Prices of such Dwelling Houses shall, after Deduction of the Expense of selling, be divided at the Sight of the Sheriff or Dean of Guild among the Shareholders or Owners according to their respective Rights and Interests.

Short Title.

XXXV. This Act may be cited for all Purposes as "The Dwelling Houses (*Scotland*) Act, 1855."

XXXVI. The

XXXVI. The Word "Sheriff" shall mean and include the Sheriff and Sheriff Substitute of the County in which the Property held or proposed to be acquired by the Association is situate; and the Words "Sheriff Clerk" shall include the Sheriff Clerk Depute as well as the Sheriff Clerk Principal, and shall mean, where there are Two or more Wards in any County, the Sheriff Clerk, Principal or Depute, officiating within the Ward in which such Property lies; "Dean of Guild" shall mean the Dean of Guild of the Burgh within which the Property held or proposed to be acquired by the Association is situate, such Burgh being always one of those referred to in the First Section hereof; "Town Clerk" shall mean and include the Town Clerk, Assistant Town Clerk, and Depute Town Clerk of such Burgh; "Owner" shall mean the Party for the Time being standing on the Register or Rental Book as in right of a Tack or Rental Right of any Lot or Dwelling forming Part of any Dwelling Houses erected or improved under this Act; and "Proprietor" shall mean any Person, Corporation, Trustee, or others who under the Provisions of the Lands Clauses Consolidation (*Scotland*) Act, 1845, are enabled as Owners to sell and convey Lands to the Promoters of an Undertaking. **Interpretation of Terms.**

XXXVII. Nothing in this Act contained shall exempt any Association established under this Act, or the Rules in any Contract of Copartnery entered into under the same, from the Provisions of any Act or Acts passed in any future Session of Parliament for the better Regulation of such Associations. **Nothing to exempt Association from Provisions of future General Acts.**

SCHEDULES.

SCHEDULE (A.)

At in the County of this [*Date*] in Presence of the Sheriff Clerk [*or* Sheriff Clerk Depute *or* Town Clerk] and of the Witnesses hereto subscribing, we [*insert the Name of the Association*] constituted under the "Dwelling Houses (Scotland) Act, 1855," by a Contract sanctioned by the Sheriff [*or* Dean of Guild] of Date and recorded in the Sheriff [*or* Burgh] Court Books of Date , in consideration of the Grassum of hereby dispone in perpetual Tack or Rental Right to *A.B.* [*designing the Disponee*] that Lot of the Dwelling Houses erected [*or* improved] by us at [*Place and County, or Burgh, with Street if in a Town, and Parish if in a Country District,*] under Warrant dated , being Number of the same as marked on the Plan thereof docqueted of Date , at the yearly Tack Duty of [*Sum*] payable at Whitsunday [*or* Martinmas]. And I the said *A.B.* [*or, as the Case may be,* I, *L.M.*, Mandatory for the said *A.B.*, by Mandate dated and recorded in the Sheriff [*or* Burgh] Court Books of Date , on his Behalf] accept this Tack.

(Signed) *C.D.* Chairman, [*or* Clerk] of the Association on their Behalf.

(Signed) *A.B.*

(Signed) *E.F.* [*designing him with his Residence*] Witness.

(Signed) *G.H.* [*designing him with his Residence*] Witness.

Executed before me, with proper adhesive Stamp affixed,

(Signed) *I.K.* Sheriff [*or* Town] Clerk.

SCHE-

SCHEDULE (B.)

I *A.B.* [*Designation*] authorize *C.D.* [*Designation*] to accept [*or* grant to *E.F.*] an Assignation to Lot, Number , of the Dwelling Houses erected by [*Name of Association*] at , under Warrant of Date , and to subscribe the Entry of such Transfer in the Register Book on my Behalf. [*Testing Clause according to the Form of the Law of Scotland.*]

SCHEDULE (C.)

At in the County of this [*Date*] in Presence of the Sheriff Clerk [*or* Sheriff Clerk Depute *or* Town Clerk] and of the Witnesses hereto subscribing, I, *A.B.*, [*Designation*] [*or, as the Case may be,* I, *G.H.* Mandatory for *A.B.*, *designing him,* by Mandate dated and recorded in the Sheriff *or Burgh* Court Books of Date] in consideration of the Price of assign to *C.D.* [*Designation*] my Tack of Lot, Number , of the Dwelling Houses erected by [*Name of Association*] at [*Place*], under Warrant, dated , and I the said *C.D.* [*or, as the Case may be,* I, *E.F.*, Mandatory for the said *C.D.*, by Mandate, dated and recorded in the Sheriff [*or* Burgh] Court Books of Date on his Behalf,] accept this Transfer.

[*To be subscribed as in Schedule* (*A.*)]

SCHEDULE (D.)

At in the County of this [*Date*] the Sheriff [*or* Sheriff Substitute *or* Dean of Guild] having considered the Application of *C.D.* [*designing him*] to be registered as Owner of Lot, Number of the Dwelling Houses erected at [*Place*] by [*Name of Association*], under Warrant of Date , in place of the deceased *A.B.* [*designing him*] as his Heir, [*or* in virtue of Disposition or Deed of Settlement by the said *A.B.*, dated and recorded of Date . in the *as the Case may be,*] finds that the said *C.D.* is now in right of the said Lot, and the Owner thereof, and he is hereby registered as such accordingly.

(Signed) *E.F.*

(Signed) *G.H.*, Sheriff [*or* Town] Clerk.

SCHE-

SCHEDULE (E.)

At in the County of this [*Date*] the Sheriff [*or* Sheriff Substitute *or* Dean of Guild] having considered the Application of *C.D.* [*designing him*] to be registered as Owner of Lot, Number , of the Dwelling Houses erected at [*Place*] by [*Name of Association*] under Warrant of Date the in Place of *A.B.* [*designing him*] in virtue of an Adjudication and Decree of Expiry of the Legal thereon of Date [*or* in virtue of a Decree of Adjudication in Implement of Date *or* in virtue of an Act and Warrant of Confirmation in favour of the said *C.D.*, as Trustee on his sequestrated Estate, of Date], finds that the said *C.D.* is now in right of the said Lot as Owner thereof, and he is hereby registered as such accordingly.

(Signed) *E.F.*
G.H., Sheriff [*or* Town] Clerk.

SCHEDULE (F.)

Where the Price does not exceed 500*l.*, Four per Cent. thereon.
Where it exceeds 500*l.* but not 1,000*l.*, 25*l.*
Where it exceeds 1,000*l.* but not 2,000*l.*, 30*l.*
Where it exceeds 2,000*l.* but not 5,000*l.*, 40*l.*
Where it exceeds 5,000*l.*, 50*l.*

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Printers to the Queen's most Excellent Majesty. 1855.

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VICTORIÆ REGINÆ.

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elapse before re-opening any such Grave for further Interments therein, is unnecessarily stringent, and would be prejudicial to the proper Management of the said Burial Ground, and entail a considerable Expense upon the said Township of *Huddersfield*, and it is desirable that the said Section of the said last-mentioned Act of Parliament should be repealed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sect. 16. of 15 & 16 Vict. c. 41. repealed.

I. The said Section of the said last-mentioned Act of Parliament shall be and the same is hereby repealed: Provided nevertheless, that nothing herein contained shall extend to relieve the said Commissioners from the Necessity of obtaining the Approval or Confirmation by the General Board of Health of any Regulations which by the said *Huddersfield* Burial Ground Act, 1852, may require such Approval or Confirmation.

Expenses of this Act how to be paid.

II. The Expenses of obtaining this Act, and all other Expenses incident thereto, shall be charged upon and defrayed out of the Fees and Sums of Money which shall be raised, charged, levied, or received under or by virtue of the said *Huddersfield* Burial Ground Act.

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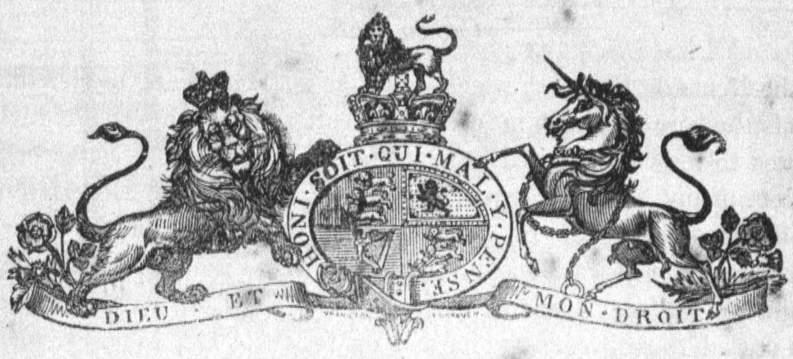

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Subject and Subject.

or the Rents or Profits of which said Lands, Tenements, or Hereditaments, by any Act now in force or hereafter to be passed are to be carried to the Consolidated Fund of *Great Britain* and *Ireland*, or in respect of any Sum or Sums of Money due and owing to Her Majesty by virtue of any Vote of Parliament for the Service of the Crown, or of any Act of Parliament relating to the Public Revenue, Her Majesty's Attorney General, or in *Scotland* the Lord Advocate, shall be entitled to recover Costs for and on behalf of Her Majesty, where Judgment shall be given for the Crown, in the same Manner, and under the same Rules, Regulations, and Provisions, as are or may be in force touching the Payment or Receipt of Costs in Proceedings between Subject and Subject, and such Costs shall be paid into the Exchequer, and shall become Part of the Consolidated Fund.

Defendant entitled to Costs, if successful against the Crown.

II. If in any such Information, Action, Suit, or other Proceeding Judgment shall be given against the Crown, the Defendant or Defendants shall be entitled to recover Costs, in like Manner, and subject to the same Rules and Provisions, as though such Proceeding had been had between Subject and Subject; and it shall be lawful for the Commissioners of Her Majesty's Treasury and they are hereby required to pay such Costs out of any Monies which may be hereafter voted by Parliament for that Purpose.

Power to Judges to make Rules and Orders for Regulation of Pleading and Practice in Crown Suits.

III. And whereas the Procedure and Practice in Informations, Suits, and other Proceedings instituted by or on behalf of the Crown in Her Majesty's Court of Exchequer is dilatory, and requires Amendment, and it is desirable that the same should be assimilated as nearly as may be to the Course of Practice and Procedure now in force in Actions and Suits between Subject and Subject: Be it enacted, That it shall be lawful for the Barons of Her Majesty's Court of Exchequer in *England*, or any Three of them, and also for the Barons of Her Majesty's Court of Exchequer in *Ireland*, or any Three of them, in their respective Courts, to make all such General Rules and Orders for the Regulation of the Pleading and Practice in such Informations, Suits, and other Proceedings, and to frame such Writs and Forms of Proceedings, as to them may seem expedient for the Purpose aforesaid; and all such Rules, Orders, or Regulations shall be laid before both Houses of Parliament, if Parliament be then sitting, immediately upon the making of the same, or if Parliament be not sitting, then within Five Days after the next Meeting thereof; and no such Rule, Order, or Regulation shall have Effect until Three Months after the same shall have been so laid before both Houses of Parliament; and any Rule, Order, or Regulation so made shall, from and after such Time aforesaid, be binding and obligatory on the said Court, and on all Courts of Error into which any Judgment of the said Court shall be carried

carried by any Writ of Error, and be of the like Force and Effect, as if the Provisions contained therein had been expressly enacted by Parliament: Provided always, that it shall be lawful for the Queen's most Excellent Majesty, by any Proclamation inserted in the *London Gazette*, or for either of the Houses of Parliament, by any Resolution passed at any Time within Three Months next after such Rules, Orders, and Regulations shall have been laid before Parliament, to suspend the whole or any Part of such Rules, Orders, or Regulations, and in such Case the whole, or such Part thereof as shall be so suspended, shall not be binding and obligatory on the said Courts, or on any other Court of Common Law or Court of Error.

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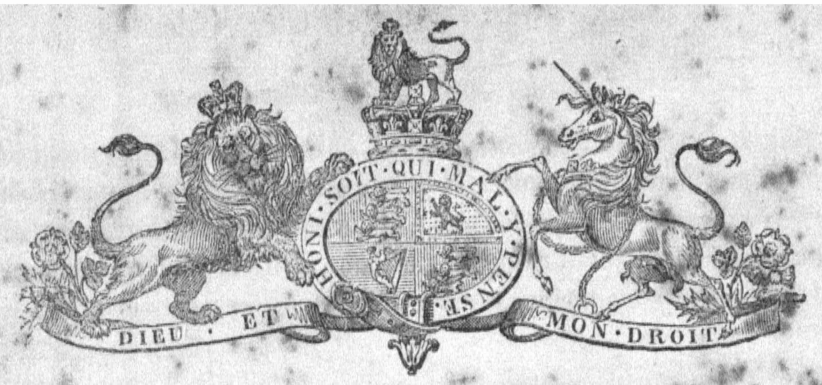

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Majesty may deem reasonable, and may in like Manner from Time to Time increase, diminish, or repeal such Dues, and from the Time specified in such Order for the Commencement of the Dues thereby fixed, increased, or diminished the same shall be leviable throughout Her Majesty's Dominions in manner herein-after mentioned.

No such Dues to be levied in any Colony without the Consent of the Colonial Legislature.

III. No such Dues as aforesaid shall be levied in any Colony unless and until the Legislative Authority in such Colony has, either by Address to the Crown, or by an Act or Ordinance duly passed, signified its Opinion that the same ought to be levied in such Colony.

Mode of collecting the said Dues.
17 & 18 Vict. c. 104, ss. 399, 400, 401.

IV. The said Dues shall in the United Kingdom be collected by the same Persons by whom, and by the same Means, in the same Manner, and subject to the same Conditions, so far as Circumstances permit, by, in, and subject to which the Light Dues leviable under the Merchant Shipping Act, 1854, are collected, and shall in each *British* Possession abroad be collected by such Persons as the Governor of such Possession abroad may appoint for the Purpose, and shall be collected by the same Means, in the same Manner, and subject to the same Conditions, so far as Circumstances permit, by, in, and subject to which the Light Dues leviable under the Merchant Shipping Act, 1854, are paid and collected, or by such other Means, in such other Manner, and subject to such other Conditions as the Legislative Authority in such Possession may direct.

Dues to be paid over to Her Majesty's Paymaster General.

V. All Dues levied under this Act shall be paid over to Her Majesty's Paymaster General at such Times and in such Manner as the Board of Trade may direct, and shall be applied, paid, and dealt with by him, for the Purposes herein-after mentioned, in such Manner as such Board may direct.

Dues to be applied to Expenses of Lighthouse, &c. for which they are levied.

VI. The Dues levied under the Authority of this Act in respect of any such Lighthouse, Buoy, or Beacon as aforesaid shall, after deducting any Expenses incurred in collecting the same, be applied for the Purpose of paying the Expenses incurred in erecting and maintaining such Lighthouse, Buoy, or Beacon, and for no other Purpose whatever.

Power to borrow Money on Security of Dues.
17 & 18 Vict. c. 104. ss. 424, 425, 426.

VII. For the Purpose of constructing or repairing any such Lighthouse, Buoy, or Beacon as aforesaid, the Board of Trade may raise, upon the Security of the Dues to be levied in respect thereof, such Sums of Money as they may deem fit; and the Commissioners of Her Majesty's Treasury, out of any Monies which may be provided by Parliament, the Public Works Loan Commissioners, or any other Person or Body of Persons, may advance the same accordingly, such

Advances

Advances to be made in the same Manner, with the same Powers, and subject to the same Provisions, so far as Circumstances permit, in, with, and subject to which, under the Merchant Shipping Act, 1854, Advances may be made upon the Security of the Mercantile Marine Fund for the Construction and Repair of Lighthouses in the United Kingdom.

Accounts for each Lighthouse, &c. to be kept, and laid before Parliament, and to be audited.

17 & 18 Vict. c. 104. s. 428.

VIII. Accounts shall be kept of all Sums expended in the Construction, Repair, or Maintenance of every Lighthouse, Buoy, or Beacon in the *British* Possessions abroad for which Dues are levied under the Authority of this Act, and of the Dues received in respect thereof, in such Manner as the Board of Trade may direct, and shall be laid before Parliament annually; and the said Accounts shall be audited in such Manner as Her Majesty may by Order in Council direct.

Registry of Ships.

PART II. of Merchant Shipping Act, 1854.

Penalty on false Declarations under Part II. of Merchant Shipping Act.

17 & 18 Vict. c. 104. s. 103.

IX. Any Person who, in any Declaration made in the Presence of or produced to any Registrar of Shipping, in pursuance of the Second Part of the Merchant Shipping Act, 1854, or in any Documents or other Evidence produced to such Registrar, wilfully makes, or assists in making or procures to be made, any false Statement concerning the Title to or the Ownership of or the Interests existing in any Ship, or any Share or Shares in any Ship, or who utters, produces, or makes use of any Declaration or Document containing any such false Statement, knowing the same to be false, shall be guilty of a Misdemeanor.

Shares in Shipping within the Trustee Act, 1850.

13 & 14 Vict. c. 60.

X. Shares in Ships registered under the said Merchant Shipping Act, 1854, shall be deemed to be included in the Word "Stock," as defined by the Trustee Act, 1850, and the Provisions of such last-mentioned Act shall be applicable to such Shares accordingly.

Forms of Instruments

17 & 18 Vict. c. 104. s. 96.

XI. In any Case in which any Bill of Sale, Mortgage, or other Instrument for the Disposal or Transfer of any Ship or any Share or Shares therein or of any Interest therein is made in any Form or contains any Particulars other than the Form and Particulars prescribed and approved for the Purpose by or in pursuance of the Merchant Shipping Act, 1854, no Registrar shall be required to record the same without the express Direction of the Commissioners of Her Majesty's Customs.

Delivery of Certificate upon Transfer of Registry.

17 & 18 Vict. c. 104. s. 90.

XII. Upon the Transfer of the Registry of a Ship from one Port to another, the Certificate of Registry required by the Ninetieth Section of the Merchant Shipping Act, 1854, to be delivered up for that Purpose, may be delivered up to the Registrar of either of such Ports.

XIII. The

Exemption of certain Ships from having Name painted on Stern.
17 & 18 Vict. c. 104. s. 34.

XIII. The Commissioners of Customs may, with the Consent of the Board of Trade, exempt any Pleasure Yacht from the Provision contained in the Thirty-fourth Section of the Merchant Shipping Act, 1854, which requires the Name of every Ship and the Port to which she belongs to be painted on her Stern.

Ships measured under Rule II. may be measured under Rule I.
17 & 18 Vict. c. 104. ss. 21 and 22.

XIV. The Owner of any Ship which is measured under Rule II. contained in the Twenty-second Section of the Merchant Shipping Act, 1854, may at any subsequent Period apply to the Commissioners of Customs to have the said Ship remeasured under Rule I. contained in the Twenty-first Section of the same Act, and the said Commissioners may thereupon, and upon Payment of such Fee not exceeding Seven Shillings and Sixpence for each Transverse Section as they may authorize, direct the said Ship to be remeasured accordingly, and the Number denoting the Register Tonnage shall be altered accordingly.

General Register Books in London.
17 & 18 Vict. c. 104. s. 107.

XV. The Copy or Transcript of the Register of any *British* Ship which is kept by the Chief Registrar of Shipping at the Custom House in *London*, or by the Registrar General of Seamen, under the Direction of Her Majesty's Commissioners of Customs or of the Board of Trade, shall have the same Effect to all Intents and Purposes as the original Register of which the same is a Copy or Transcript.

Masters and Seamen.

PART III. of Merchant Shipping Act, 1854.

Extension of Provisions concerning the Relief of destitute Seamen.
17 & 18 Vict. c. 104. ss. 211, 212, and 213.

XVI. The Board of Trade may issue Instructions concerning the Relief to be administered to distressed Seamen and Apprentices, in pursuance of the Two hundred and eleventh and Two hundred and twelfth Sections of the Merchant Shipping Act, 1854, and may by such Instructions determine in what Cases and under what Circumstances and Conditions such Relief is to be administered; and all Powers of recovering Expenses incurred with respect to distressed Seamen and Apprentices, which by the Two hundred and thirteenth Section of the said Act are given to the Board of Trade, shall extend to all Expenses incurred by any Foreign Government for the Purposes aforesaid, and repaid to such Government by Her Majesty's Government; and shall likewise extend to any Expenses incurred by the conveying home such Seamen or Apprentices in Foreign as well as *British* Ships; and all Provisions concerning the Relief of distressed Seamen and Apprentices, being Subjects of Her Majesty, which are contained in the said Sections of the said Act, and in this Section, shall extend to such Seamen and Apprentices, not being Subjects of Her Majesty, as are reduced to Distress in Foreign Parts by reason of their having been shipwrecked, discharged, or left behind from any *British* Ship; subject nevertheless to such Modifications and

and Directions concerning the Cases in which Relief is to be given to such Foreigners, and the Country to which they are to be sent, as the Board of Trade may, under the Circumstances, think fit to make and issue.

XVII. The Enactment of the Merchant Shipping Act, 1854, relating to Savings Banks shall apply to all Seamen, and to their Wives and Families, whether such Seamen belong to the Royal Navy or to the Merchant Service, or to any other Sea Service.

Enactment concerning Savings Banks extended to Seamen in the Navy.

17 & 18 Vict. c. 104. s. 180.

XVIII. Any Naval Court summoned, under the Provisions of the Merchant Shipping Act, 1854, to hear any Complaint touching the Conduct of the Master or any of the Crew of any Ship, shall, in addition to the Powers given to it by the said Act, have Power to try the said Master or any of the said Crew for any Offences against the Merchant Shipping Act, 1854, in respect of which Two Justices would, if the Case were tried in the United Kingdom, have Power to convict summarily, and by Order duly made to inflict the same Punishments for such Offences which Two Justices might in the Case aforesaid inflict upon summary Conviction; provided, that in Cases where an Offender is sentenced to Imprisonment the Sentence shall be confirmed in Writing by the Senior Naval or Consular Officer present at the Place where the Court is held, and the Place of Imprisonment, whether on Land or on board Ship, shall be approved by him as a proper Place for the Purpose, and Copies of all Sentences made by any Naval Court summoned to hear any such Complaint as aforesaid shall be sent to the Commander-in-Chief or Senior Naval Officer of the Station.

Additional Powers of Naval Courts.

17 & 18 Vict. c. 104. ss 260 to 266.

XIX. Whenever any Articles belonging to or forming Part of any Foreign Ship which has been wrecked on or near the Coasts of the United Kingdom, or belonging to or forming Part of the Cargo thereof, are found on or near such Coasts, or are brought into any Port in the United Kingdom, the Consul General of the Country to which such Ship, or, in the Case of Cargo, to which the Owners of such Cargo, may have belonged, or any Consular Officer of such Country authorized in that Behalf by any Treaty or Agreement with such Country, shall, in the Absence of the Owner of such Ship or Articles, and of the Master or other Agent of the Owner, be deemed to be the Agent of the Owner, so far as relates to the Custody and Disposal of such Articles.

Wrecks, Casualties, and Salvage.

PART VIII. of Merchant Shipping Act, 1854.

In case of Wreck of Foreign Ships, Consul General to be deemed Agent of Owner

XX. In Cases where Services are rendered by Officers or Men of the Coast Guard Service in watching or protecting ship-wrecked Property, then, unless it can be shown that such Services have been declined by the Owner of such Property or his Agent

Remuneration for Services by Coast Guard.

at the Time they were tendered, or that Salvage has been claimed and awarded for such Services, the Owner of the shipwrecked Property shall pay in respect of the said Services Remuneration according to a Scale to be fixed by the Board of Trade, so, however, that such Scale shall not exceed any Scale by which Payment to Officers and Men of the Coast Guard for extra Duties in the ordinary Service of the Commissioners of Customs is for the Time being regulated; and such Remuneration shall be recoverable by the same Means and shall be paid to the same Persons and accounted for and applied in the same Manner as Fees received by Receivers appointed under the Merchant Shipping Act, 1854.

Legal Procedure

PART X. of Merchant Shipping Act, 1854.

Jurisdiction in case of Offences on board Ship.

12 & 13 Vict. c. 96.

XXI. If any Person, being a *British* Subject, charged with having committed any Crime or Offence on board any *British* Ship on the High Seas or in any Foreign Port or Harbour, or if any Person, not being a *British* Subject, charged with having committed any Crime or Offence on board any *British* Ship on the High Seas, is found within the Jurisdiction of any Court of Justice in Her Majesty's Dominions which would have had Cognizance of such Crime or Offence if committed within the Limits of its ordinary Jurisdiction, such Court shall have Jurisdiction to hear and try the Case as if such Crime or Offence had been committed within such Limits: Provided, that nothing contained in this Section shall be construed to alter or interfere with the Act of the Thirteenth Year of Her present Majesty, Chapter Ninety-six.

Miscellaneous.

PART XI. of Merchant Shipping Act, 1854.

Relief of destitute Lascars.

XXII. It shall be the Duty of the *East India* Company to take charge of and send home or otherwise provide for all Persons, being Lascars or other Natives of the Territories under the Government of the said Company, who are found destitute in the United Kingdom; and if any such Person is relieved and maintained by any Guardians, Overseers, or other Persons administering the Relief of the Poor, such Overseers, Guardians, or other Persons may, by Letter sent through the Post or otherwise, give Notice thereof in Writing to the Secretary of the Court of Directors of the *East India* Company, specifying, so far as is practicable, the following Particulars; *viz.*,—

1. The Name of the Person so relieved or maintained:
2. The Presidency or District or Part of the Territories of the *East India* Company of which he professes to be a Native:
3. The Name of the Ship in which he was brought to the United Kingdom:
4. The Port or Place abroad from which such Ship sailed, and the Port or Place in the United Kingdom at which such Ship arrived, when he was so brought to the United Kingdom, and the Time of such Arrival:

And

And the said *East India* Company shall repay to the said Overseers, Guardians, or other Persons, out of the Revenues of the said Company, all Monies duly expended by them in relieving or maintaining such destitute Person, after the Time at which such Notice aforesaid is sent or otherwise given.

Contracts may be made with Natives in India, under certain Conditions, binding them to go to the United Kingdom, and then to serve in other Ships back to India or elsewhere.

XXIII. It shall be lawful for any Master or Owner of a Ship or his Agent to enter into Agreements with Lascars or Natives of the Territories of the *East India* Company, binding them to proceed to any Port or Ports in the United Kingdom, either as Seamen or as Passengers, and there to enter into a further Agreement to serve as Seamen in any Ship which may happen to be there, and to be bound to any Port in the Territories of the *East India* Company; provided, that every such original Agreement shall be made in such Form, and shall contain such Provisions, and shall be executed in such Manner, and under such Conditions for securing the Return of such Lascars or Natives to their own Country, and for other Purposes, as the Governor General of *India* in Council, or the Governors of the respective Presidencies in which the original Agreement is made, in Council may direct; and if any Lascar or other Person who has bound himself by any such original Agreement is, on arriving in the United Kingdom, required to enter into a further Agreement to serve as a Seaman in any Ship bound to any Port in the Territories of the *East India* Company, and if it is certified by some Officer appointed for that Purpose by the *East India* Company that such further Agreement is a proper Agreement in all respects for such Lascar or other Person to enter into, and is in accordance with the original Agreement, and that the Ship to which such further Agreement relates is in all respects a proper Ship for such Lascar or other Person to serve in, and that there is not, in the Opinion of such Officer, any Objection to the full Performance of the said original Agreement, such Lascar or other Person shall be deemed to be engaged under such further Agreement, and to serve as a Seaman in the Ship to which it relates, and shall thereupon be deemed to be for all Purposes One of the Crew of the Ship; and for every Lascar or other Person in respect of whom such Certificate is applied for, the Person applying for the same shall pay to such Officer as aforesaid such Fee as the *East India* Company may appoint, not exceeding Ten Shillings.

Saving of former Enactments. 4 Geo. 4. c. 80. ss. 25 to 34. 17 & 18 Vict. c. 120. s. 16.

XXIV. Nothing herein contained shall be deemed to repeal or affect any Provisions contained in the Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, or Thirty-fourth Sections of the Act of the Fourth Year of King

George

George the Fourth, Chapter Eighty, or in the Sixteenth Section of the Act of the Eighteenth Year of Her present Majesty, Chapter One hundred and twenty.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. XCII.

An Act for appropriating the Corps of the Prebend or Portion of *Netherhall Ledbury* in the Diocese and County of *Hereford*, and for constituting the Living of *Ledbury* a Rectory with Cure of Souls, and for augmenting the Endowments thereof. [14th *August* 1855.]

WHEREAS there are in the Diocese and County of *Hereford* Two Prebends or Portions of a Prebend respectively, called the Prebend of *Overhall* and the Prebend of *Netherhall, Ledbury*, founded in the Cathedral Church of *Hereford*, and in the Gift or Patronage of the Bishop of *Hereford*, the respective Prebendaries or Portionists whereof had the alternate Right of Patronage or Presentation of or to the Vicarage and Parish Church of *Ledbury:* And whereas the said Vicarage was formerly endowed with a certain Portion of Tithes, which was commuted in the Year One thousand eight hundred and thirty-nine, under the Acts of Parliament for the Commutation of Tithes in *England* and *Wales*, for a yearly Rentcharge of Four hundred and sixty Pounds Two Shillings, variable according to the Provisions of the said Acts, and payable to the Vicar for the Time being of the said Vicarage, and

 the

the sole Cure of Souls in the said Parish of *Ledbury* has been for many Years past and still is exercised by the said Vicar for the Time being: And whereas at the Time of the passing of the Act of the Third and Fourth Years of Her Majesty's Reign, Chapter One hundred and thirteen, the Prebend or Portion of *Overhall* had by the Death of the Reverend *Henry Stonhouse Vigor*, late Prebendary or Portionist thereof, become and was then vacant, and by virtue of such Act all the Lands, Tithes, and other Hereditaments, and all other Emoluments and Endowments belonging thereto, (excepting Rights of Patronage,) became vested in the Ecclesiastical Commissioners for *England*, for the Purposes of the said Act, and the alternate Right of Presentation to the said Vicarage, theretofore belonging to the said last-mentioned Prebendary or Portionist, devolved upon the Bishop of *Hereford:* And whereas in the Year One thousand eight hundred and two the Reverend *James Watts*, Clerk, was collated, or presented by the then Bishop of *Hereford*, to the Prebend of *Netherhall*, and was thereupon duly installed Prebendary thereof; and the Vicarage of the said Parish of *Ledbury* having in the Year One thousand eight hundred and ten become vacant, the said *James Watts*, in virtue of the alternate Right of Presentation which thereupon accrued in Turn to him as such Prebendary or Portionist of *Netherhall*, presented himself to and was duly instituted and inducted Vicar of the said Vicarage, and he thenceforth continued Prebendary or Portionist of the said last-mentioned Prebend or Portion, and also Vicar of the said Vicarage, and enjoyed the Profits and Emoluments thereof respectively, to the Time of his Death: And whereas the said *James Watts* died in the Year One thousand eight hundred and forty-seven, and thereupon the alternate Right of Presentation to the said Vicarage, theretofore belonging to the Prebend of *Netherhall*, also devolved, by Force of the said Act, upon the Bishop of *Hereford*, and shortly afterwards the Reverend *James George Watts*, Son of the said *James Watts*, was collated by the Bishop of *Hereford* to the said Vicarage, and he was thereupon duly inducted to and is now the Vicar or Incumbent of the said Vicarage: And whereas upon the Decease of the said *James Watts* all the Estates and Endowments, excepting Rights of Patronage, belonging to the said Prebend or Portion of *Netherhall* (subject to the Term and Interest then unexpired therein under a certain Indenture of Lease dated the Fifteenth *January* One thousand eight hundred and twenty-eight, and made between the said *James Watts*, therein described as Portionist and Prebendary of the Portion or Prebend called *Netherhall* in the Parish Church of *Ledbury* in the County of *Hereford*, of the one Part, and *Philip John Miles* Esquire, of the other Part, for Three Lives,) were considered to have become vested in the said Ecclesiastical Commissioners by virtue of the said Act,

as

as being the Estates of a Prebend not residentiary; but a Claim has since been set up to the said last-mentioned Prebend or Portion by the said *James George Watts*, as Vicar of the said Vicarage, on the Ground, as he contends, that the same Prebend or Portion was a Rectory without Cure of Souls, and having been held by the said *James Watts*, deceased, together with the said Vicarage, for the Period of Twenty Years last past before the passing of the said Act, the same Rectory and Vicarage had under the Provisions of the said Act become permanently united, and do now constitute a Rectory with Cure of Souls; and the Rents which had become payable upon the Twenty-ninth Day of *September* One thousand eight hundred and fifty-two in respect of the last-mentioned Prebend or Portion since the Death of the said *James Watts*, amounting to Eighty-four Pounds, have been paid into the Court of Queen's Bench, under a Judge's Order in an Action of Ejectment: And whereas, in order to avoid the Costs of Litigation in regard to the Claim of the said *James George Watts*, which is resisted on the Part of the said Ecclesiastical Commissioners, a Proposal has been agreed upon by the said Ecclesiastical Commissioners and the said *James George Watts*, with the Consent of the Right Reverend *Renn Dickson*, Bishop of *Hereford*, that the said Parish of *Ledbury* should be and be considered or be made a Rectory with Cure of Souls, in the Patronage of the Bishop of *Hereford* for the Time being, and that the said *James George Watts* should, without further Collation, Induction, or Institution thereto, become and be the Rector thereof, and that in addition to the Tithes Rentcharge and other Profits and Emoluments belonging to the said Vicarage to be annexed to the said Rectory, the said Rectory should be endowed in the Manner herein-after in this Act provided, and, subject thereto, that the whole of the Lands, Tithes, and other Hereditaments (excepting Rights of Patronage), and all other Emoluments and Endowments belonging to the said Prebend or Portion of *Netherhall*, subject to the said Lease, should remain or become vested in the said Ecclesiastical Commissioners for the Purposes of the said Acts: But, inasmuch as the aforesaid Objects cannot be carried into effect without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Parish and Parish Church of Ledbury to become a Rectory with Cure of Souls.

I. The Parish and Parish Church of *edbury* in the Diocese and County of *Hereford* shall henceforth be and be deemed a Rectory with Cure of Souls in the Gift or Patronage of the Bishop of *Hereford* for the Time being, and the said *James George Watts* shall, without further Collation, Presentation, Institution, or Induction, be and be deemed

deemed the Rector of the said Rectory, and the Freehold of the Parish Church and Burial Ground of *Ledbury* aforesaid shall henceforth and for ever hereafter be vested in the said *James George Watts* as such Rector, and his Successors Rectors thereof for the Time being.

Tithe Rentcharge and other Emoluments of Vicarage to remain vested in the Rector for the Time being;

II. The Rentcharge of Four hundred and sixty Pounds Two Shillings, awarded or agreed to be paid, under the Act for the Commutation of Tithes in *England* and *Wales*, to the Vicar of the said Vicarage, in lieu of the Tithes theretofore belonging to the said Vicarage, and also all Mortuaries, *Easter* Offerings, Surplice Fees, and all other Fees, Profits, and Emoluments heretofore payable to or enjoyed by the Vicar for the Time being of the said Vicarage, shall henceforth belong and be paid to the said *James George Watts* as Rector, and his Successors Rectors for the Time being of the said Rectory.

also Lands and Tithe Rentcharge specified in Schedule;

III. The several Closes or Parcels of Land and Tithes Rentscharge mentioned and specified in the Schedule to this Act (being Parcel of the late Prebend or Portion of *Netherhall*), freed and discharged from the yearly Pension of Sixteen Bushels of Wheat and Sixteen Bushels of Oats payable to the Vicar for the Time being of the said Parish Church of *Ledbury*, and from the Land Tax in respect of the said Land, which has been redeemed, and Tithe Rentcharge, shall, from and immediately after the Expiration or other sooner Determination of the Term, Estate, and Interest granted therein by the said Indenture of Lease of the Fifteenth of *January* One thousand eight hundred and twenty-eight, (but without conferring any Right to any Portion of the Rent reserved by the said Lease during the Continuance thereof,) belong to and be permanently annexed to the said Rectory, and be held and enjoyed by the Rector thereof for the Time being for ever hereafter, by way of Augmentation of the said Rectory; but subject, nevertheless, and charged to and with the keeping in due State of Repair the North Side of the Chancel of the Parish Church of *Ledbury*, and also to and with the Payment of the yearly Sum of Thirty Pounds to the Minister or Curate for the Time being of the District of *Wellington Heath* in *Ledbury*, by half-yearly Payments to be made on the First Day of *June* and the First Day of *December* in each Year, the first of such half-yearly Payments or a proportionate Part thereof to be made on such One of the said Days as shall happen next after the Expiration or sooner Determination of the said Lease.

subject to Payment of 30*l.* per Annum to Minister of District of Wellington Heath in Ledbury.

Until Determination of Lease, Ecclesiastical Commission-

IV. In the meantime, until the Expiration or sooner Determination of the said Lease, the said Ecclesiastical Commissioners shall, out of their Common Fund, pay to the said *James George Watts* as Rector, and his Successors Rectors for the Time being of the said Rectory, an annual

annual Sum of Two hundred and thirty Pounds, clear of all Deductions, other than on account of Property or Income Tax, by equal half-yearly Payments, to be made on the First Day of *May* and the First Day of *November* in each Year, such Payment to be considered to have commenced and taken effect from the First Day of *May* One thousand eight hundred and fifty-three, and also a proportionate Part of the said annual Sum in respect of the Number of Days which shall have elapsed of the current Half Year in which the said Lease shall expire or be determined, and such annual Sum and proportionate Part to be by way of Augmentation of the said Rectory, in lieu of the said Parcels of Land and Tithes Rentscharge mentioned in the said Schedule, until the same shall fall into the Possession and Receipt of the said Rector, and to be charged with the Payment of the like annual Sum of Thirty Pounds as from the said First Day of *May* One thousand eight hundred and fifty-three to the Minister or Curate for the Time being of the said District of *Wellington Heath*, and on the like Days as are in this Act before mentioned in respect to the Payment of the said annual Sum of Two hundred and thirty Pounds.

ers to pay annual Sum to the Rector;

charged with the annual Payment of 30*l.*

V. All other the Lands, Tithes, Tithes Rentscharge, and Hereditaments belonging to or constituting the Corps of the Prebend or Portion of *Netherhall*, whether the same be or be not a Sinecure Rectory, within the Intent and Meaning of the said recited Act of the Third and Fourth Years of Her said Majesty's Reign, (save and except Rights of Patronage, and also save and except the Right, from and after the Expiration or other sooner Determination of the said Lease, to the said Pieces or Parcels of Land and Tithes Rentscharge, and the redeemed Land Tax in respect thereof, comprised in the Schedule to this Act, and intended to be hereby vested in expectancy in the Rector for the Time being of the said Rectory,) together with, and not by way of Exception, the whole of the Rents, and the Benefit of all the Covenants, Conditions, and Agreements reserved and contained by and in the said Indenture of Lease, and which on the Lessee's or Assignee's Part are or ought to be paid, observed, and performed, including the Right to all Sums paid into Court as aforesaid, and all other Sums now due on account of the said Rent, shall, freed and discharged from the said yearly Pension of Sixteen Bushels of Wheat and Sixteen Bushels of Oats, or any other Payments or Dues, to the Rector or Vicar of the Parish Church of *Ledbury*, from and after the passing of this Act, but subject and without Prejudice to the Term, Estate, and Interest granted by the said Lease, remain and be absolutely vested in the said Ecclesiastical Commissioners for *England*, their Successors and Assigns, to be by them held, possessed, and administered for the Purposes and under and according to the Provisions of the said Act of the Third and Fourth Years of Her

Residue of Lands and Profits of Prebend or Portion of Netherhall to vest in Ecclesiastical Commissioners, and be held as Part of Common Fund, under 3 & 4 Vict. c. 113.

Majesty's Reign, or any other Act or Acts relating to the said Ecclesiastical Commissioners with regard to the Estates of Non-residentiary Prebends.

Powers of Ecclesiastical Commissioners as Reversioners of Property in Lease.

VI. For the Purpose of enabling the said Ecclesiastical Commissioners and their Successors, as Reversioners of the Premises comprised in the said Indenture of Lease, to receive and recover the Rents due or to become due under the said Lease, and to exercise all Rights and Remedies in respect thereof, and of the Covenants, Conditions, and Agreements on the Part of the Lessee therein contained, and also of enabling the said Ecclesiastical Commissioners, if they shall think fit, to accept a Surrender of the Term, Estate, and Interest of the Lessee in the said Lands and Tithes Rentscharge comprised in the said Schedule hereto, the Reversion of and in the whole of the Premises comprised in or held under the said Lease shall be or be considered to be vested in them the said Ecclesiastical Commissioners during the Remainder of and subject to the Term, Estate, and Interest granted by the said Lease; but so, nevertheless, that in case the said Ecclesiastical Commissioners should accept a Surrender of the said Term, Estate, and Interest in the said Lands and Tithes Rentscharge comprised in the said Schedule, the same shall operate as an Extinguishment of the said Term and Interest therein, for the Benefit of the Rector for the Time being of the said Rectory, so as to accelerate his Right to the Possession and Receipt of the said last-mentioned Lands and Rentscharge; and thereupon the said annual Sum of Two hundred and thirty Pounds herein-before directed to be paid to the Rector for the Time being by the said Commissioners, out of their Common Fund, shall cease, anything herein-before contained to the contrary notwithstanding.

Style of Act

VII. For all Purposes of Recital or Reference it shall be sufficient in all Cases to mention this Act as "The Rectory of *Ledbury* Act, 1855."

The

The SCHEDULE.

No. on Tithe Commutation Apportionment for the Parish of Ledbury.	Lands.	Cultivation.	Acreage		
			A.	R.	P.
Part 991	Orchard and Stable - -	Pasture -	1	1	15
980	Doghill Orchard - -	Pasture -	3	0	34
			4	2	9

The several annual Sums belonging to the said Prebend of Ledbury Netherhall, as apportioned by way of Tithe Rentcharge upon certain Lands in the said Parish of Ledbury, and payable, subject to Variation, under the Acts of Parliament passed for the Commutation of Tithes, amounting together to Two hundred and fifty Pounds (being exclusive of the Amount of Twenty-three Pounds and Twelve Shillings apportioned on the Estate belonging to such Prebend numbered 166, 160, 1663, 154, 157, 1402, 167, 164, 165, 991, 153, 156, 155, 161, 1434, 1435, 1403, 1404, 1406, 981, 180, 378, 388, 390, 174, 175, 172, 152, 995, 996, 169, 168, 150, 151, 1457, 1681, 376, 980, and 159, and on the Field numbered 1426 on the Plan annexed to the confirmed Tithe Apportionment for the said Parish of Ledbury).

The several annual Sums, amounting to Twenty Pounds Six Shillings and Sixpence, also belonging to the said Prebend, apportioned by way of Rentcharge upon certain Lands in the Parish of Aylton in the said County of Hereford, and payable, subject to Variation, under the said Acts of Parliament passed for the Commutation of Tithes.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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C A P. XCIII.

An Act to amend certain Acts relating to the Court of Judicature of *Prince of Wales Island*, *Singapore*, and *Malacca*, and to the Supreme Courts of Judicature in *India*.

[14th *August* 1855.]

WHEREAS by Letters Patent of His late Majesty King *George* the Fourth His said late Majesty ordained that there should be within the Settlement of *Prince of Wales Island*, *Singapore*, and *Malacca* a Court of Judicature to be holden before the Governor and the Resident Councillor for the Time being of the Station where the Court should be held, as Two of the Judges of the said Court, and before One other Judge called the Recorder of *Prince of Wales Island*, *Singapore*, and *Malacca*: And whereas by Letters Patent of His late Majesty King *William* the Fourth, granted under the Powers of the Act of the Sixth and Seventh Years of His Reign, Chapter Eighty-three, His said late Majesty granted to the said Court of Judicature the Powers of a Court of Admiralty: And whereas by Letters Patent of Her present Majesty, granted in the present Year of Her Reign, Her said Majesty has ordained that the said Court of Judicature should consist of Two Courts or Divisions, One of which shall be holden within the Stations of *Singapore* and *Malacca* before the Governor or President and the

Resident Councillor for the Time being of the Station, where the same shall be held, and before One other Judge called the Recorder of *Singapore*, and the other of which Courts or Divisions shall be holden within the Station of *Prince of Wales Island* before the said Governor or President and the Resident Councillor for the Time being of the Station where the same shall be held, and before the other Judge, who shall be called the Recorder of *Prince of Wales Island*, and that all the Powers of the said Court of Judicature shall and may be exercised by each of the said Courts or Divisions, together with various other Provisions concerning the same: And whereas, in consequence of the Alteration made by the last-mentioned Letters Patent in the Constitution of the said Court of Judicature, it is desirable to amend the several Acts of Parliament herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sections 5. 7. 13. 14. and 16 of 6 G. 4. c. 85. to apply to Recorders of Singapore and Prince of Wales Island.

I. The Provisions contained in the Statute of the Sixth Year of *George* the Fourth, Chapter Eighty-five, Sections Five, Seven, Thirteen, Fourteen, and Sixteen, respecting the Recorder of the Court of Judicature of *Prince of Wales Island*, and respecting the Grant of an Allowance to him on Retirement, and respecting the Computation of the Time of Residence in case he shall be appointed a Judge of One of the Supreme Courts in *India*, shall apply to the Recorder of *Singapore* and to the Recorder of *Prince of Wales Island* respectively, and Residence partly as one and partly as the other of such Recorders shall be reckoned as if such Residence had been wholly in the same Capacity: Provided always, that (save and except only in the Case of the present Recorder of *Singapore*, who was appointed to the Office of Recorder of *Prince of Wales Island*, *Singapore*, and *Malacca* prior to the lastly-recited Letters Patent,) it shall not be lawful to grant to any Recorder of *Singapore* or Recorder of *Prince of Wales Island* any larger retiring Allowance than the Sum of Five hundred Pounds, unless he shall have resided as Recorder for Ten Years, nor if he shall have resided for that Period any larger Allowance than the Sum of Eight hundred Pounds.

Sum to be paid to Recorders for Equipment and Voyage.

II. In lieu of the Sum which by the Act of the Fifty-third Year of *George* the Third, Chapter One hundred and fifty-five, Section Eighty-nine, is directed to be paid to any Recorder of *Prince of Wales Island* for the Expenses of his Equipment and Voyage, the Court of Directors of the *East India* Company shall pay to the Person who by the said Letters Patent of Her Majesty has been appointed Recorder of *Prince of Wales Island*, and to every Person to be hereafter appointed Recorder of *Singapore* or Recorder of *Prince of*

of Wales Island who shall be resident in the United Kingdom at the Time of his Appointment, for the Purpose of defraying the Expenses of his Equipment and Voyage, the Sum of Five hundred Pounds.

Court for Relief of Insolvent Debtors may be held by either of the Recorders.

III. The Court for Relief of Insolvent Debtors, which by the Statute of the Eleventh and Twelfth Years of Her present Majesty, Chapter Twenty-one, Section Eighty-eight, is directed to be held within the said Settlement, may henceforth be held by the Recorder of *Singapore* and by the Recorder of *Prince of Wales Island* respectively, each of whom is hereby empowered and required to hold such Court, and to appoint proper Officers, Assignees, and Examiners for enabling the Provisions of such Act to be carried into effect, and to establish Rules as to the Advocates and Attornies and Agents who may practise in the said Court before such Recorder; and the several other Powers given by the said Act to the Court of Judicature of *Prince of Wales Island*, *Singapore*, and *Malacca* shall and may be henceforth exercised by the Governor of the said Settlement and the said Recorders, or by any Two of them.

Act 6&7 W. 4. c. 53. to apply to the present Charter, which is confirmed.

IV. The Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter Fifty-three, for enabling His late Majesty, by Letters Patent, to grant Admiralty Jurisdiction to the Court of Judicature of *Prince of Wales Island*, *Singapore*, and *Malacca*, shall be construed to apply to the said Letters Patent or Charter of Her present Majesty, and such Charter is hereby in all respects ratified and confirmed.

As to Allowances to Judges of the Supreme Courts in India on Retirement.

V. And whereas Doubts have been entertained whether the Provisions of the Act of the Sixth *George* the Fourth, Chapter Eighty-five, respecting the Grant of Allowances to the Judges of the Superior Courts in *India* on Retirement, apply to Cases where the required Period of Residence as a Judge has been partly as a Judge of one and partly as a Judge of another of the said Supreme Courts: Be it enacted, That for the Purpose of the said last-mentioned Provisions Residence in *India* as a Judge of any of the said Supreme Courts (though such Residence shall have been partly as a Judge of one of the said Supreme Courts and partly as a Judge of another of such Courts) shall be computed and reckoned as Residence as a Judge of the Supreme Court to which the Judge shall belong at the Time of his Retirement: Provided always, that in the Case of any Judge retiring from the Supreme Court of Judicature at *Fort William* whose Period of Residence in *India* as a Judge shall have been partly as a Judge of the Supreme Court at *Madras* or *Bombay*, it shall not be lawful to grant to such Judge any larger Allowance than might have been

been granted if he had been during his whole Period of Residence a Judge of the Supreme Court at *Madras* or *Bombay*, unless he shall have resided as a Judge of the Supreme Court at *Fort William* for Five Years at the least.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. XCIV.

An Act to impose increased Rates of Duty of Excise on Spirits distilled in the United Kingdom; to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Spirits, Sugar, and Molasses respectively; and to amend the Laws relating to the Duties of Excise.

[14th *August* 1855.]

WHEREAS it is expedient to impose increased Rates of Duty of Excise on Spirits distilled in the United Kingdom, and to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks of Excise now payable on such Spirits and Sugar and Molasses respectively: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On and after October 1, 1855, the following Duties of Excise to be paid on Spirits distilled in Great Britain and Ireland.

I. There shall be charged, collected, and paid, for the Use of Her Majesty, Her Heirs and Successors, for and upon every Gallon of Spirits of the Strength of Hydrometer Proof which, on or after the First Day of *October* One-thousand eight hundred and fifty-five, shall be distilled within the United Kingdom, or be in the Stock, Custody, or Possession of any Distiller, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled within the United Kingdom, shall on or after the said Day be in Warehouse, and be taken out of Warehouse for Consumption

 within

within the United Kingdom, the respective Rates and Duties following; that is to say,

	£	s.	d.
In *Great Britain* - - -	0	8	0
In *Ireland* - - -	0	6	2

and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity, in lieu of all other Duties of Excise on such Spirits chargeable under any Act in force.

Duties to be under the Management of the Commissioners of Inland Revenue, and to be collected under the Provisions of Acts in force relating to Excise.

II. The said Duties by this Act granted shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, collected, and paid in like Manner and by the same Ways and Methods by which other Duties of Excise on Spirits are or may be charged, collected, and paid; and all Powers, Provisions, Clauses, Regulations, and Directions, Forfeitures, Pains, and Penalties, contained in or imposed or made by or under the Authority of any Act relating to Duties of Excise, and in force at the Time of the passing of this Act, shall respectively extend, so far as the same are applicable, to the said Duties by this Act granted, and shall be observed, applied, enforced, and put in execution for collecting and securing of the said last-mentioned Duties, and otherwise in relation thereto (except so far as the same are altered or superseded by the Provisions of this Act), as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

Allowances on Spirits in Distillers Stock or in Warehouse.

III. And there shall be allowed and paid to the Distiller or Proprietor of all Spirits which, having been distilled within the United Kingdom from Wort or Wash made before the First Day of *October* One thousand eight hundred and fifty-five, shall on or after the said last-mentioned Day be in the Stock of any Distiller or in Warehouse, the several Allowances and Drawbacks of Excise following; that is to say, for and upon every Gallon of such last-mentioned Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Quantity, or any greater or less Degree of Strength, if such Spirits shall have been distilled from Malt only, under the Provisions and Regulations entitling the Distiller to the Allowance in that Behalf, the Allowance of Eightpence *per* Gallon; and if such Spirits shall have been distilled from any other Materials than Malt only, or otherwise than in conformity with such Provisions and Regulations, the Allowance of Twopence *per* Gallon.

Former Allowances in respect of Malt and on Sugar used in distilling to cease.

IV. On and after the First Day of *October* One thousand eight hundred and fifty-five all Allowances and Drawbacks of Excise granted by any former Act for or upon Spirits distilled in any Part of the United Kingdom, in respect of the Malt or other Materials used in making such Spirits, and for or upon Sugar and Molasses used in the Distillation

Distillation of Spirits, shall respectively cease and determine, save and except as to Spirits distilled from Wort or Wash made before the said First Day of *October*.

Malt may be made and used free from Duty in distilling Spirits.

V. And from and after the passing of this Act it shall be lawful for any Distiller, or for any other Person who shall give such Security as herein-after required in that Behalf, such Distiller or other Person taking out a proper Licence as a Maltster, to make Malt, under the Provisions of this Act, in a Malthouse approved by the Commissioners of Inland Revenue, for the sole Purpose of being consumed, on or after the First Day of *October* One thousand eight hundred and fifty-five, in the distilling of Spirits; and all Malt which shall be so made by a Distiller and consumed in his Distillery, and all Malt which shall be made by such other Person, and delivered into the Storeroom of a Distiller at his Distillery, shall respectively be free from the Duties of Excise chargeable on Malt: Provided always, that the Provisions, Regulations, Penalties, and Forfeitures contained in the several Acts of Parliament and now in force in relation to Maltsters, or the making of Malt, shall (except so far as the same are repealed, altered, or superseded by the express Provisions of this Act,) be observed, applied, and enforced with respect to Distillers or other Persons making Malt, and to the making of Malt, under the Provisions and Regulations of this Act.

Special Entry to be made of Malthouse.

VI. Every Malthouse to be used for the making of Malt under the Provisions of this Act shall be specially entered for that Purpose, and no such Entry shall be withdrawn whilst any Malt or any Corn or Grain making into Malt shall be in such Malthouse, or in any Storeroom belonging thereto.

Persons other than Distillers making Duty-free Malt to give Security against Frauds.

VII. Every Person, other than a Distiller, who shall intend to make Malt Duty-free, under the Provisions of this Act, shall enter into a Bond to Her Majesty, with Two or more sufficient Sureties, to the Satisfaction of the Commissioners of Inland Revenue, and in such Sum as the said Commissioners shall think proper, conditioned to the Purport or Effect following; (that is to say,) that such Maltster shall duly make into Malt all Corn and Grain which shall be received into any such Malthouse as aforesaid belonging to him, and shall not sell any such Malt to any other Person than a Distiller, or take, send out, remove, or deliver from any such Malthouse as aforesaid any Malt, or Corn or Grain, except Malt duly removed to a Distillery under a Permit duly granted in that Behalf, and shall not convey away, hide, or conceal any Malt, or Corn or Grain, contrary to any of the Provisions of this Act or of any Act in force in relation to Maltsters or the making of Malt; and the Condition of such Bond shall also contain all such further Terms and Stipulations as the Commissioners of Inland Revenue shall deem

to

to be necessary or proper for preventing Frauds in relation to the Malt to be made by such Maltster; and such Maltster shall give a fresh Bond, with such Sureties as aforesaid, when and as often as he shall be required so to do by the said Commissioners, and in default thereof he shall not be entitled to make Malt Duty-free, under the Provisions of this Act.

Malt may be removed for Exportation.

VIII. Provided always, That it shall be lawful for any Maltster to remove Malt from any such Malthouse for Exportation under such Regulations as the Commissioners of Inland Revenue shall make in that Behalf.

Distillers on giving Security to have Duty-free Sugar and Molasses delivered to them, to be used in the distilling of Spirits.

IX. And from and after the Fifteenth Day of *September* One thousand eight hundred and fifty-five every Distiller who shall have given Security by Bond to Her Majesty, with Sureties, to the Satisfaction of the Commissioners of Customs or Excise, in the Manner and for the Purpose herein-after mentioned, shall be entitled to remove, on such Terms and Conditions and in such Manner as the said last-mentioned Commissioners shall think fit, Sugar and Molasses, without previously paying the Duties of Customs or Excise thereon, from any Customs or Excise Warehouse in which the same may be deposited to the proper Storeroom at his Distillery provided for Sugar and Molasses, pursuant to the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred, for the sole Purpose of being consumed, on or after the First Day of *October* One thousand eight hundred and fifty-five, in the distilling of Spirits in his Distillery; and all such Sugar and Molasses which shall be so consumed shall be free from the Duties of Customs or Excise: Provided always, that the Provisions, Regulations, Penalties, and Forfeitures contained in the said last-mentioned Act in relation to Sugar and Molasses on which the Duties of Customs or Excise have been paid shall be observed, applied, and enforced respectively in relation to Sugar and Molasses to be removed as aforesaid, under the Provisions of this Act, without the previous Payment of the said Duties.

Distiller to give Bond, with Sureties, conditioned to secure the due Consumption of Duty-free Sugar and Molasses in the distilling of Spirits.

X. Every Distiller who shall intend to use Sugar or Molasses Duty-free in the distilling of Spirits, under the Provisions of this Act, shall enter into a Bond to Her Majesty, with Two or more sufficient Sureties to the Satisfaction of the Commissioners of Customs or Excise, and in such Sum as the said last-mentioned Commissioners shall think proper, conditioned to the Purport or Effect following; (that is to say,) that all Sugar and Molasses which shall be from Time to Time delivered to him from any Warehouse without Payment of the Duties of Customs or Excise thereon shall be forthwith duly conveyed to and deposited in a Store-room for Sugar and Molasses provided at his Distillery, pursuant to the said Act of the Eleventh and Twelfth Years of Her Majesty's Reign, and that all such

such Sugar and Molasses shall from Time to Time, within the Space of One Calendar Month next after the Delivery thereof from any such Warehouse, be used and consumed by such Distiller solely in the distilling of Spirits in his Distillery; and the Condition of every such Bond shall also contain all such further Terms and Stipulations as the Commissioners of Customs or Excise shall deem to be necessary or proper for preventing Frauds in relation to the Use or Disposal of Sugar or Molasses delivered Duty-free under the Provisions of this Act; and the Distiller shall give a fresh Bond, with such Sureties as aforesaid, when and as often as he shall be required so to do by the said last-mentioned Commissioners, and in default thereof he shall not be entitled to have Sugar or Molasses Duty-free under the Provisions of this Act.

Distiller and Maltster to make Entry of his Malthouse, and to provide a Kiln adapted for securing the Malt whilst drying.

XI. Every Distiller and Maltster respectively who shall make Malt to be consumed as aforesaid Duty-free shall make due Entry of every Malthouse in which he shall make such Malt as a Place to be used for that Purpose only, and shall provide therein a proper and secure Kiln, approved in Writing by the proper Collector and Supervisor of the District, and to be entered and used for the drying of such Malt, and for securing the same during the Process of drying, and until it shall be removed from such Kiln in the Manner herein directed; and such Kiln shall at all Times be kept locked up by the Officer, who shall not be required to unlock or open the same, except upon Notice in Writing to be given to him on behalf of the Distiller or Maltster, and for a reasonable and proper Object, to be specified in such Notice: Provided always, that it shall be lawful for any such Distiller or Maltster to use such Kiln for the drying of Barley, under such Regulations and Restrictions as the Commissioners of Inland Revenue may make in that Behalf.

Distillers to make Entry of Kilns used for drying Barley or other Corn or Grain.

XII. Provided always, That every Distiller who shall have or make use of any Kiln for the drying of Barley or other Corn or Grain, wheresoever such Kiln may be situated, and although the same may not be used for the drying of Malt, shall make Entry of such Kiln with the proper Officer of Excise as a Building or Place used by such Distiller in carrying on his Trade or Business, under the Penalty imposed by Law in that Behalf for any Neglect or Omission to make such Entry.

If Malthouse more than a Mile from a Market Town, Distiller or Maltster to provide Lodgings for the Officer.

XIII. If any such Malthouse as aforesaid shall be situated at a greater Distance than One Mile by the nearest Highway from a Market Town, the Distiller or Maltster shall provide (if required so to do by the Commissioners of Inland Revenue) a House or Lodgings or Rooms fit and proper for the Residence of the Officer having the Survey of such Malthouse, the same to be situated within the Distance aforesaid from such Malthouse, and to be approved by the

the said Commissioners, and at a reasonable Cost or Rent, not exceeding Ten Pounds a Year, to be paid by such Officer for the same: Provided always, that such House, Lodgings, or Rooms shall not form any Part of the Dwelling House, Residence, Distillery, or Malthouse of such Distiller or Maltster.

Secure Rooms to be provided for the Purposes herein expressed; viz.,

a Storeroom at the Malthouse for the Deposit of Malt on Removal from the Kiln;

XIV. Every Distiller and every such Maltster as aforesaid shall also provide safe and secure Rooms, approved in Writing by the proper Collector and Supervisor of the District, and to be entered and used by such Distiller and Maltster respectively for the several Purposes herein-after expressed; (that is to say,) a Room at the Malthouse of such Distiller or Maltster to be entered and used as a Storeroom for depositing Malt therein immediately on the Removal thereof from the Kiln, and such Room shall be so situated with respect to such Kiln as that the Officer attending the Removal of Malt from the Kiln shall be enabled at One View to see the same taken from the Kiln and carried directly into such Storeroom, or if the Situation of such Storeroom will not admit of such View, then the Communication between the Kiln and the Storeroom shall be by an enclosed and covered Passage having no other Communication, or otherwise the Removal of all such Malt from the Kiln to the Storeroom shall be ensured to the Satisfaction of the Commissioners of Inland Revenue by such Ways and Means as they shall require or approve of, to be adopted by or at the Expense of the Distiller or Maltster; and if such Storeroom shall not be at the Distillery of the Person making such Malt, then the Distiller shall also provide a Room at his Distillery, to be entered and used by him as a Storeroom for depositing Malt therein, on the Removal thereof from the Malthouse to the Distillery, previously to the grinding of such Malt; and every Distiller shall also provide a Room at his Distillery, to be called the Millroom, and to be entered and used by him for the grinding of Malt therein; and all Malt to be used in the Distillery shall be ground by Metal Rollers only; and the Removal of such Malt to and from such Millroom, and the grinding thereof, and the depositing and securing of the same afterwards, shall be under and subject to such Rules and Regulations as the Commissioners of Inland Revenue may from Time to Time make in that Behalf; and all such Rooms so to be provided as aforesaid shall be properly secured to the Satisfaction of the said Collector and Supervisor, and shall be at all Times kept locked by the proper Officer of Excise, and neither the Distiller nor Maltster nor their respective Servants or Workmen shall be admitted therein, except upon due Notice in Writing given to such Officer, in the Manner and for the Purposes directed by this Act.

a Storeroom at the Distillery for Malt on Removal from the Malthouse;

also a Millroom at the Distillery for grinding Malt.

All such Rooms to be properly secured.

All Fastenings (except

XV. Wherever any Kiln, Room, or Place is by this Act directed to be kept locked or secured by the Officer of Excise, all fit and proper

proper Fastenings (except Locks) for the Purpose of enabling such Officer to affix Locks thereto, or otherwise to secure such Kiln, Room, or Place, shall be provided and affixed, and renewed from Time to Time, by the Distiller or Maltster, to the Satisfaction of the proper Collector and Supervisor for the Time being, or otherwise such Collector or Supervisor shall provide and affix or renew such Fastenings, at the Expense of such Distiller or Maltster; and if any Distiller or Maltster shall neglect or refuse to pay to such Collector or Supervisor the Cost or Expense incurred by him in providing, affixing, or renewing any such Fastening, such Distiller or Maltster shall forfeit the Sum of One hundred Pounds; and if such Distiller or Maltster, or his Servant or Workman, shall wilfully destroy, damage, or injure any such Fastening as aforesaid, by whomsoever provided or affixed, or any Lock or Key belonging thereto, or shall by any Means open, take off, or remove any such Lock or Fastening, or make any Way or Entrance or improperly gain Access or Admittance into any such Kiln, Room, or Place, such Distiller or Maltster shall for every such Offence, whether committed by himself or his Servant or Workman, forfeit the Sum of Two hundred Pounds.

Locks) for the Security of Kilns and other Rooms to be provided at the Expense of the Distiller.

Penalty for refusing to defray such Expense, or for removing or damaging Locks or Fastenings.

XVI. It shall be lawful for the Commissioners of Inland Revenue at any Time to revoke the Approval of any Malthouse, Kiln, Storeroom, or Millroom, or the Mode of Communication between any Kiln and Storeroom provided under this Act, which may have been approved of either by the said Commissioners or by the Collector and Supervisor of Excise, or either of them, and to require the Distiller or Maltster to provide another proper and secure Malthouse, Kiln, or Room in lieu thereof, or to make any Alteration therein, to the Satisfaction of the said Commissioners; and in case of the Refusal or Neglect of the Distiller or Maltster to comply with any Requisition of the said Commissioners in that Behalf, all Malt of such Distiller or Maltster then being at his Malthouse or Distillery, and all Malt thereafter made by him, until he shall so comply, shall be charged with the proper Duty of Excise on Malt, and the Amount of such Duty shall be paid to the proper Collector immediately after the Charge thereof shall have been made.

Commissioners may revoke Approval of Malthouse, Kiln, or Storerooms, and require Alterations or additional Fastenings.

XVII. In respect of all Corn or Grain in process of making into Malt in any such Malthouse as aforesaid, the Allowance to be made upon the Gauges thereof during the Time that the same shall be in the Cistern, or in the Couch Frame, whilst directed by Law to be deemed and gauged as in Couch, shall be at the Rate of Seventeen Bushels only for every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge.

Allowance on Cistern or Couch Gauges to be 17 per Cent.

XVIII. Every Distiller and Maltster who shall make Malt under the Provisions of this Act shall give Six Hours Notice in Writing to the

Distiller, &c. to give Notice to

Officer to attend, when it is intended to load the Kiln.

the proper Officer of Excise of the Day and the particular Hour when he shall intend to place any Grain upon the Kiln, and shall specify in such Notice the Floor of Corn or Grain, and the particular Portion thereof, whether the whole or the First or Second Portion, intended to be placed on the Kiln, and for this Purpose no Floor shall be divided into more than Two Portions; and the Officer shall attend pursuant to such Notice, and unlock the Door of the Kiln, and permit the loading thereof with Grain, conformably with such Notice: Provided always, that the loading of the Kiln shall not take place at any other Time than between the Hours of Five o'Clock in the Morning and Seven o'Clock in the Evening, and that such loading shall be completed within the Space of Two Hours from the Time specified in such Notice; and in default thereof the Door of the Kiln shall be again locked by the Officer.

Officer to admit the Workmen into the Kiln to stir the Grain from Time to Time, pursuant to Notice.

XIX. Immediately after the loading of the Kiln, the Officer shall again lock up and secure the same, but during the Time that any Grain shall be upon the Kiln the Officer shall attend and admit the Workmen into the Kiln, for the Purpose of turning or stirring such Grain, from Time to Time and at such Times as shall be specified in any Notice in Writing which may be given to him for that Purpose, on behalf of the Distiller or Maltster, Six Hours at the least before the Attendance of such Officer shall be required for the Purpose aforesaid: Provided always, that the Officer shall not be required to unlock the Kiln oftener than Four Times in any One Day, nor at any Time between the Hours of Nine o'Clock in the Evening and Five o'Clock in the Morning, or to allow the Kiln to remain open or unlocked, for the Purpose aforesaid, for a greater Length of Time than Half an Hour on any One Occasion.

Notice to be given for Removal of Malt from the Kiln.

Malt to be measured, and Deficiency charged with Duty.

XX. Every such Distiller and Maltster respectively shall give to the proper Officer Twelve Hours Notice in Writing of the Day, and particular Hour of the Day, not earlier than Five o'Clock in the Morning nor later than Seven o'Clock in the Evening, when such Distiller or Maltster shall intend to remove the Malt from the Kiln; and the Officer shall attend according to such Notice, and the Malt shall be forthwith measured in his Presence, and from the Quantity of Malt found according to such measuring a Deduction shall be made at the Rate of Five *per Centum* for Heat, Commings or Roots, and the unclean State of such Malt; and if the Quantity after such Deduction shall prove to be less than the Quantity which was given by the highest Gauge of the Grain whilst in the Process of making into Malt, deducting the proper Allowance in that Behalf, the Deficiency shall be charged with the Duty of Excise on Malt, and the Distiller or Maltster shall forthwith pay the Amount of such Duty to the proper Collector of Excise; and all the Malt upon the Kiln, after having been so measured, shall be removed therefrom, and carried, in the Presence of

of the Officer, directly into the Storeroom to be provided and entered by the Distiller or Maltster for that Purpose as aforesaid, and shall be locked up and secured therein by such Officer: Provided always, that it shall be lawful for the Distiller or Maltster, if he shall think fit, to screen such Malt on the Kiln before the same shall be measured, and if the same shall be so screened then no Deduction shall be made from the Quantity found by such measuring, and the Distiller or Maltster shall be charged with Duty in respect of so much only as the actual Quantity so found shall be deficient of the Quantity given by such highest Gauge as aforesaid.

Removal of Malt from the Storeroom at the Malthouse to the Storeroom at the Distillery.

XXI. When the Distiller or Maltster shall desire to remove any Malt from the Storeroom at his Malthouse to the Storeroom at a Distillery, he shall give Twelve Hours Notice in Writing to the proper Officer of Excise of the Time when and the Rooms and Places to and from which he intends to remove such Malt, and the Quantity thereof which he intends to remove; and such Officer shall attend pursuant to such Notice at the Storeroom from which such Malt is to be removed, to unlock the Door thereof, and see measured or weighed out therefrom the Quantity of Malt expressed in such Notice; and such Officer may take Samples of the Malt to be removed, and shall grant a Permit for the Removal of such Malt from and to the several Storerooms expressed in such Notice; and there shall be expressed in such Permit the Time for which the same shall be in force, such Time being a reasonable and sufficient Time for such Removal, and also the Measure or Weight of such Malt; and if such Distiller or Maltster shall not duly remove all such Malt, and deposit the same, according to the Terms of such Permit, or shall remove the same or any Part thereof to any other Place than that expressed in such Permit as the Place to which such Malt is to be removed, or if the Weight of the Malt deposited in such last-mentioned Place shall differ by more than Two and a Half *per Centum*, or if the Measure thereof shall differ by more than Five *per Centum*, from the Weight or Measure of Malt expressed in such Permit, such Distiller or Maltster shall forfeit the Sum of Two hundred Pounds, and all such Malt shall be forfeited, and may be seized by any Officer of Excise; and if any such Malt shall be found removing or removed without being or having been accompanied by a Permit duly granted, or accompanied by a Permit expired or out of Force, or which shall not agree with the Time or Manner of the Removal of such Malt, or in which the Weight or Measure of Malt authorized to be removed shall differ more than after the respective Rates aforesaid from the Weight or Measure of the Malt removing or removed under Colour thereof, all such Malt shall also be forfeited, and may be seized by any Officer of Excise.

Malt to be removed from Malthouse to Distillery in Sacks containing Four Bushels or 168 Pounds each.

XXII. All Malt intended to be removed from a Storeroom at the Malthouse to a Storeroom at the Distillery shall be contained in Sacks, and each Sack shall contain the exact Quantity of Four Bushels of Malt by Measure, or One hundred and sixty-eight Pounds by Weight, secured therein in such Manner as the Commissioners of Inland Revenue may direct.

Twelve Hours Notice to be given for Removal of Malt from the Storeroom to the Millroom.

Four Hours Notice for Removal of Malt to the Mash Tun.

XXIII. And when the Distiller shall desire to remove any Malt from the Storeroom at his Distillery to the Millroom, for the Purpose of being ground, he shall give Twelve Hours Notice in Writing to the proper Officer of Excise, specifying in such Notice the Quantity of Malt intended to be so removed; and the Officer shall attend in pursuance of such Notice, and see measured or weighed the Quantity of Malt specified in such Notice, and such Malt shall be forthwith conveyed, in the Presence of the Officer, into the Millroom, and be there locked up and secured by the Officer; and before the Removal of any Malt, after the grinding thereof, to the Mash Tun, the Distiller shall give to the proper Officer Four Hours previous Notice in Writing, specifying the Quantity thereof to be mashed, and the Officer shall attend accordingly and deliver out such Malt, and the same shall be forthwith mashed in his Presence.

Distillers and Maltster to enter in Books Particulars of Malt received into and removed from their Storerooms.

XXIV. Books prepared with proper Columns for such Purposes as herein-after mentioned shall be delivered by the proper Officer of Excise to every Distiller and to every such Maltster, to be kept by them respectively at every such Storeroom as aforesaid, and whenever any Malt shall be received into or removed from any such Storeroom, the Distiller or Maltster shall enter in such Book as aforesaid, and in the proper Columns prepared for the Purpose, the Quantity of Malt, in Bushels, or in Pounds Weight, if the same shall be weighed, received into or removed from the Storeroom, and in the Case of Malt removed the Number of Sacks or the Weight of the Malt contained therein, if the same shall be weighed; and he shall also enter in such Book the particular Day and Hour of the Day when any such Malt was received into or removed from the Storeroom, and the particular Place from or to which the same was received or removed; and if any Distiller or any such Maltster as aforesaid shall not keep such Book as aforesaid, or shall not write and truly make therein all such Entries as aforesaid, or shall make any false Entry therein, or cancel, obliterate, or destroy or alter any Entry therein, or shall not deliver up any such Book to any Officer of Excise demanding the same, or shall refuse to permit such Officer to make any Minute therein, or to take any Extract therefrom, or shall conceal or convey away the same, or destroy or tear out any Leaf therefrom, such Distiller or Maltster shall for every such Offence forfeit the Sum of One hundred Pounds.

XXV. From

Excise Duties.

XXV. From Time to Time, when and as often as the Officer of Excise shall deem it to be necessary or proper, and at least once in every Year, the Stock of Malt remaining in any such Storeroom as aforesaid shall be measured or weighed in the Presence of the Officer, and a Balance shall be struck of the Account of Malt received into and delivered out of such Storeroom; and if the Quantity of Malt then remaining in such Storeroom, according to such measuring or weighing, shall be deficient by more than Three *per Centum* by Measure, or One *per Centum* by Weight, (computed as herein-after mentioned,) of the Quantity which, according to the Balance of such Account, ought to be found therein, the Distiller or Maltster shall be charged with the Duty of Excise on Malt for the whole Quantity deficient; and if at any Time the whole of the Malt shall be removed from any such Storeroom, and upon striking such Balance there shall appear to be any such Deficiency exceeding the Rate aforesaid, the Distiller or Maltster shall also be charged with the said Duty on the whole of such Deficiency, and in every such Case as aforesaid the Distiller or Maltster shall forthwith pay the Amount of the Duty so charged upon him to the proper Collector of Excise; and if at any Time, upon striking such Balance as aforesaid, there shall be found in any such Storeroom a Quantity of Malt exceeding by more than Three *per Centum* the Quantity which, according to the Balance of such Account, ought to be found therein, the whole Quantity of such Excess shall be forfeited, and may be seized by any Officer of Excise; and on the striking of such Balance as aforesaid the said respective Rates *per Centum* shall be computed and allowed on the whole Quantity of Malt received into the Storeroom since the First Entry and Use thereof as such Storeroom, if there shall have been no previous Stock-taking, or on the whole Quantity received since the last Stock-taking, and also on the Quantity then remaining in such Storeroom, as the Case may be; and for the Purpose of charging the Duty on any such Deficiency as aforesaid, where the Stock Account of Malt in any such Storeroom shall be kept by Weight, Forty Pounds Weight of Malt shall be deemed to be equal to a Bushel of Malt, and the Duty of Excise chargeable on a Bushel of Malt shall be charged accordingly on every Forty Pounds Weight of the Quantity of Malt deficient.

Malt remaining in Storeroom to be measured, and a Balance to be struck of Account of Malt received and delivered; if a Deficiency Duty, to be charged on the Quantity;

if an Excess, the same to be forfeited.

XXVI. In all Cases where Malt in any Storeroom, or on the Removal thereof to or from any Storeroom, is by this Act directed to be measured or weighed, it shall be lawful for the Commissioners of Inland Revenue, by any Order or Regulation from Time to Time by them in that Behalf made, to determine and direct that such Malt shall be either measured or weighed, or both measured and weighed, and that any Account thereof shall be taken and kept either by Measure or Weight, as the said last-mentioned Commissioners shall think fit.

Malt to be either measured or weighed, or both, as the Commissioners may order.

XXVII. Every

Distiller and Maltster to provide a correct Bushel Measure and Scales and Weight;

and assist Officer in measuring and weighing Malt.

XXVII. Every Distiller and every such Maltster as aforesaid shall provide and keep at his Malthouse and also at his Distillery, and in such proper and convenient Place therein respectively as the Supervisor of Excise shall approve, a correct Bushel Measure, and also just and true Scales and Weights, properly adapted for the weighing of Malt in Sacks, and shall permit any Officer of Excise to use such Measure and Scales and Weights for the Purpose of measuring, weighing, and taking an Account of all or any Malt in the Possession of such Distiller or Maltster; and every such Distiller and Maltster respectively, with his Servants and Workmen, shall, whenever thereto required by any Officer of Excise, measure and weigh, and aid and assist the Officer in measuring and weighing and taking Account of such Malt as aforesaid; and if any Distiller or any such Maltster as aforesaid shall refuse or neglect to provide and keep such Bushel Measure, or to provide and keep such Scales and Weights, in such Place as aforesaid, or shall refuse to permit any Officer of Excise to use the same, or refuse or neglect, whenever thereto required as aforesaid, with his Servants or Workmen, to measure or weigh any such Malt, or to aid and assist the Officer in measuring or weighing and taking Account of the same as aforesaid, such Distiller or Maltster shall for every such Offence forfeit the Sum of One hundred Pounds; and if any Measure which shall be provided or kept by such Distiller or Maltster at his Malthouse or Distillery as or for such Bushel Measure as aforesaid shall not be a true and correct Bushel Measure, or if any Scales or Weight which shall be so provided or kept as aforesaid shall be false or unjust, or if any Distiller or Maltster shall use or cause or permit or suffer to be used any false, unjust, or insufficient Measure, Scales, or Weight in the measuring or weighing of any Malt by or on the Requisition of any Officer of Excise, or shall practise any Art, Device, or Contrivance by which any Officer may be hindered or prevented from taking the just and true Quantity, Measure, or Weight of any Malt, such Distiller or Maltster shall forfeit the Sum of Two hundred Pounds for every such Offence; and all false, unjust, or insufficient Measures, Scales, and Weights respectively shall be forfeited, and may be seized and taken away by any Officer of Excise.

Distiller to deliver an Account of the Malt, Sugar, and Molasses used in every distilling Period, verified by Declaration.

XXVIII. Every Distiller shall at the End of every distilling Period deliver to the proper Officer an Account in Writing of the Number of Bushels of Malt, and the true Quantity of Sugar and Molasses, (specifying the same and the Quantities thereof respectively,) actually used in making the Wort or Wash distilled during such Period; and the Officer shall transmit such Account, together with a Return in Writing signed by him, to the Collector of Excise, specifying the Number of Bushels of Malt, and the Quantities of Sugar and Molasses respectively so used, and the Quantity of Proof Spirits with which such Distiller shall have been charged

charged in respect of such Wort or Wash; and the Distiller or the principal Manager of his Distillery shall make and subscribe a Declaration to the Truth of such Account in the Form or to the Effect following:

'I *A.B.*, Distiller [*or* Principal Manager, *as the Case may be*,]
' of the Distillery at do solemnly declare,
' That within the Brewing Period commencing on the
' Day of and ending on the Day
' of both inclusive, there were actually mashed and
' used in the said Distillery, and consumed in the distilling of
' Spirits therein, the several Quantities of Malt and of Sugar and
' Molasses respectively herein-after specified, and no more; (that is
' to say,) Bushels of Malt,
' Pounds of Sugar, and Pounds of Molasses
' [*or as the Case may be*]; and all this I declare to the best of my
' Knowledge and Belief, and according to the best Information in
' my Power to obtain.'

And in default of such Declaration being made, or if any such Declaration shall be untrue, the Distiller shall forfeit the Sum of Two hundred Pounds.

Distillers and Maltsters to designate their Malt-houses by painting certain Words on the principal Entrance.

XXIX. Every Distiller or other Person who shall make Malt under the Provisions of this Act shall paint or place and fix in Letters distinctly legible, Three Inches at the least in Height, and of a proper and proportionate Breadth, conspicuously upon the principal Gate, Door, or Entrance of his Malthouse, his Christian and Surname, together with the Words "Entered to make Malt to be used in distilling Spirits only," and shall preserve and keep the same so painted or placed and fixed, and shall repaint and renew the same as often as Occasion shall require, upon pain of forfeiting the Sum of Twenty Pounds for any Refusal or Neglect to comply in any Particular with the several Directions aforesaid in this Clause contained.

Penalty on Neglect.

Distillers prohibited from selling Malt, Sugar, or Molasses.

XXX. It shall not be lawful for any Distiller to sell any Malt, Sugar, or Molasses, or to send out or deliver any Malt, Sugar, or Molasses from any Malthouse, Distillery, or other Premises belonging to him; and every Person who shall knowingly buy any Malt, Sugar, or Molasses from a Distiller, or who shall take or receive any Malt, Sugar, or Molasses from a Distillery or any Malt from any Malthouse or Premises on the principal or outer Gate whereof the Words "Entered to make Malt to be used in distilling Spirits only" shall be painted, fixed, or placed, shall forfeit the Sum of One hundred Pounds; and if any Distiller shall sell any Malt, Sugar, or Molasses, or take or send out or remove any Malt from his Malthouse (except Malt duly removed therefrom to his Distillery under a Permit granted in that Behalf), or take or send out or remove any Malt,

Penalty.

Sugar, or Molasses from his Distillery, or if any Distiller shall not use all Corn or Grain received at his Malthouse by making the same into Malt, and consume all such Malt in his Distillery, or shall convey away, hide, or conceal any Malt, or Corn, or Grain, or any Sugar or Molasses, such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds; and all Malt, Sugar, and Molasses which shall be found in any Distillery or the Premises belonging thereto, otherwise than in the proper Storeroom or Millroom, or in the Mash Tun, or being duly removed to or from any such Places in the Manner directed or allowed by this Act, shall be deemed to be conveyed away, hidden, and concealed by the Distiller, and shall subject him to the said Penalty in that Behalf; and all Malt, Corn, and Grain, and all Sugar and Molasses, which shall be respectively sold, sent out, delivered, or received, or conveyed away, hidden, or concealed, contrary to any of the Provisions of this Act, shall be forfeited, and may be seized by any Officer of Excise.

Commissioners may revoke the Licence of a Distiller or Maltster on a Second Conviction of certain specified Offences.

XXXI. And if any Distiller shall be convicted of any of the several Offences specified in the last preceding Clause of this Act, and shall afterwards be again convicted either of the like Offence or of any other of the said several Offences specified as aforesaid, or if after Judgment shall be obtained against any Maltster upon the Bond entered into by him under the Provisions of this Act, by reason of any Breach of the Condition thereof, he shall do any Act which shall be a Breach of the Condition of any such Bond subsequently entered into by him, and by reason thereof Judgment shall be obtained against him upon such last-mentioned Bond, it shall be lawful for the Commissioners of Inland Revenue, and they are hereby empowered, to revoke and annul the Licence granted to such Distiller or Maltster, as the Case may be, and to refuse to grant to him any further Licence, either as a Distiller or a Maltster, at any Time thereafter, and also to refuse to grant during the Space of One Year any such Licence to any other Person to exercise the like Trade or Business at the same Premises where the Act or Offence which shall be the Ground of such Second Conviction or Judgment as aforesaid was done or committed.

Persons found unlawfully removing Malt from a Distiller's Malthouse or a Distillery may be arrested and taken before a Justice, and summarily dealt with.

XXXII. And if any Person shall be found taking or removing Malt, or any Corn or Grain making into Malt, from any Malthouse or Premises on the principal or outer Gate whereof the Words "Entered to make Malt to be used in distilling Spirits only" shall be painted, fixed, or placed, unless in the Case of Malt the same shall be removed under and accompanied by a Permit granted under the Provisions of this Act, or if any Person shall be found taking or removing any Malt, Sugar, or Molasses, or any Wort or Wash, from any Distillery or the Premises thereto belonging, it shall be lawful for any Officer of Excise to arrest and detain such Person, and to convey him before a Justice

Justice of the Peace residing near the Place where such Arrest shall be made; and such Justice is hereby authorized and required to hear and determine, as soon afterwards as practicable, the Charge against the Person so arrested, and on the Confession of such Person, or on due Proof upon Oath of such Offence, to convict such Offender in the Penalty of One hundred Pounds; and the Person so convicted shall forthwith pay the said Penalty into the Hands of the said Officer, for the Order and Direction of the Commissioners of Inland Revenue, and in default thereof such Justice shall commit such Offender to any Gaol or Prison of the County, there to be kept to Hard Labour for any Period not exceeding Six Calendar Months nor less than Two Calendar Months, unless such Penalty shall be sooner paid.

No Abatement for Deficiencies on Spirits deposited in Warehouse less than Three Days.

XXXIII. And whereas by the Twenty-eighth Section of the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-seven, certain Rates of Allowance or Abatement are directed to be made in respect of the Deficiencies which may occur in *British* Spirits warehoused without Payment of Duty: Be it enacted, That no such Allowance or Abatement shall be made on any Spirits which shall not be and remain deposited in a Warehouse for the Period of Three Days or more.

Rectifiers may send out compounded Spirits at certain additional Strengths.

XXXIV. And whereas it is expedient to allow compounded Spirits to be sent out at other Degrees of Strength than are now allowed by Law: Be it enacted, That it shall be lawful for any Rectifier or Compounder of Spirits to sell and send out compounded Spirits at any Degree of Strength at which *British* Spirits may be sold and sent out by any Distiller, as well as at the Strength at which such Rectifier or Compounder may now sell and send out compounded Spirits under any Act in force.

Malting Barley or other Corn how long to be kept in operation.

XXXV. And for amending the Laws relating to the Duties of Excise on Malt, be it enacted, That all Barley making into Malt in any Malthouse shall be kept in operation for the full Period of One hundred and sixty-eight Hours at the least from the Time of the same being removed from the Cistern into the Couch Frame before the same or any Portion of it shall be placed on the Kiln; and all other Corn or Grain making into Malt shall be kept in operation for such Period of Time as the Commissioners of Inland Revenue shall order or direct in that Behalf; and if any Maltster shall place on the Kiln any Barley making into Malt which shall not have been kept in operation for the full Period directed by this Act, or any other Corn or Grain making into Malt which shall not have been kept in operation for such Period of Time as the said last-mentioned Commissioners shall order or direct in that Behalf, every such Maltster so offending shall forfeit the Sum of Two hundred Pounds.

XXXVI. And

Brewer not to have raw or unmalted Grain in his Brewery or in Premises adjacent.

XXXVI. And for preventing Fraud and Evasion of the Duty of Excise on Malt by the Use of raw or unmalted Corn or Grain in the brewing of Beer for Sale, be it enacted, That it shall not be lawful for any Brewer of Beer for Sale to have in his Brewery, or in any Premises belonging or adjacent thereto, whether the same shall be entered by him or not, any raw or unmalted Corn or Grain whatsoever, either whole or unground, or ground or bruised, except Corn or Grain, not ground or bruised, being in Premises entered by such Brewer for the Purpose of making Malt; and all raw or unmalted Corn or Grain which shall be found in such Brewery or other Premises (except as aforesaid), and also all malted Corn or Grain, whether whole or unground, or ground or bruised with which such raw or unmalted Corn or Grain may be mixed, shall be forfeited, and may be seized by any Officer of Excise, together with all Sacks, Casks, Vessels, or Packages in which such raw or unmalted Corn or Grain may be contained, and the Brewer for every such Offence shall forfeit the Sum of Two hundred Pounds: Provided always, that no such Penalty or Forfeiture shall be incurred in respect of any Oats or Beans *bonâ fide* intended to be used and consumed as Food for Horses, such Oats or Beans being in Premises of which such Brewer shall specially make Entry as Places for the Deposit of Horse Corn, and which shall be so far distinct from his entered Brewery Premises as not to have any internal Communication to or with the same.

Malt used by Brewers to be ground by Metal Rollers only.

XXXVII. No Brewer of Beer for Sale shall have or use, for the Purpose of grinding, crushing, or bruising Malt, any Millstones, or any Mill constructed otherwise than with Metal Rollers only, such Rollers not being fluted but having plain and smooth Surfaces; and no Malt which shall be ground by any Means, or crushed or bruised otherwise than by means of such Metal Rollers as aforesaid, shall be used by or be received into the Possession of any such Brewer; and if any such Brewer shall commit any Offence contrary to any of the Prohibitions contained in this Clause he shall forfeit the Sum of Two hundred Pounds; and all Malt which shall be found in the Possession of any such Brewer ground, crushed, or bruised in any Manner contrary to any such Prohibition shall also be forfeited, and may be seized by any Officer of Excise.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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became vested in the Crown as Part of the Land Revenue, and such Houses and Tenements have been since taken down, and the Materials thereof removed, and the Sites thereof are now vacant: And whereas, with the view to provide further and better Accommodation for carrying on the Public Service of Her Majesty, it is necessary and expedient that the Sites of the said Houses and Tenements so purchased as aforesaid, and the further and additional Site herein-after mentioned, should be appropriated by the Commissioners of Her Majesty's Works and Public Buildings for the Erection thereon by them of Offices and Buildings for the Public Service: And whereas a Map or Plan showing the Area proposed to be appropriated and used as a Site for the said new Offices and Buildings for the Public Service was made, for the Purpose of being deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and on such Map or Plan the Site originally intended to be appropriated and used for such Offices and Buildings is coloured Red, Brown, and Yellow: And whereas it has been determined to extend and enlarge the Area for the Site of such new Offices and Buildings as aforesaid, and for that Purpose to take and use, in addition to the said Ground and Buildings shown by the Colours Red, Brown, and Yellow on the said Map or Plan, certain other Ground and Buildings adjoining thereto, all of which said additional Ground and Buildings belong to Her Majesty, and form Part of the Hereditary Land Revenues of the Crown, and are shown by the Colour Blue on the said Map or Plan: And whereas, under and by virtue of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, Chapter Eighty-seven, intituled *An Act to enable Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings to make additional Thoroughfares in the Metropolis*, and of another Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Forty-two, intituled *An Act to make better Provision for the Management of the Woods, Forests, and Land Revenues of the Crown, and for the Direction of Public Works and Buildings*, certain Ground and Hereditaments situate and being in the Parishes of *Saint Giles in the Fields* and *Saint George Bloomsbury* in the County of *Middlesex* were purchased and acquired by the Commissioners named in the said first-mentioned Act, and by the Commissioners of Her Majesty's Works and Public Buildings, for the Purposes of such Act, and such Ground, with the Messuages and other Buildings lately erected and built thereon, are now vested in the said last-mentioned Commissioners, in trust for the Consolidated Fund of *Great Britain* and *Ireland*, and the said Ground, Messuages, and other Buildings are described and set forth in the First Schedule hereto: And whereas the

3 & 4 Vict. c. 87.

14 & 15 Vict. c. 42.

the Ground and Hereditaments belonging to Her Majesty, and forming Part of the Hereditary Land Revenues of the Crown, which will be required for the Purposes of such new Offices and Buildings for the Public Service, are described and set forth in the Second Schedule hereto, and are coloured Red and Blue on the before-mentioned Map or Plan: And whereas for the accomplishing the Purposes aforesaid it is intended that the Hereditaments described and set forth in the First Schedule hereto, and now vested in and belonging to the Commissioners of Her Majesty's Works and Public Buildings, in trust as aforesaid, should be vested in Her Majesty, Her Heirs and Successors, as Part of the Hereditary Land Revenues of the Crown, in exchange for the Hereditaments belonging to Her Majesty, and described and set forth in the Second Schedule hereto, to be vested in the Commissioners of Her Majesty's Works and Public Buildings, in trust for the Purposes of this Act: And whereas the Hereditaments described in the said First and Second Schedules respectively have been valued as herein-after mentioned, and it is intended that the Difference in Value shall be paid as herein-after is provided: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners incorporated for the Purposes of the Act.

I. The Persons who for the Time being, under the Provisions of the Act passed in the Session of Parliament Fourteenth and Fifteenth *Victoria*, Chapter Forty-two, shall be Commissioners of Her Majesty's Works and Public Buildings, shall for the Purposes of this Act be and are hereby constituted a Corporation by the Name and Style of the Commissioners of Her Majesty's Works and Public Buildings, and by that Name shall have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they think fit.

Hereditaments in the Second Schedule (subject to Leases, &c.) vested in the Commissioners of Works.

II. From and after the passing of this Act, the said Hereditaments mentioned and comprised in the Second Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, shall (subject to the Leases or Agreements for Leases in the said Second Schedule to this Act mentioned or referred to) be and the same are by this Act vested in the Commissioners of Her Majesty's Works and Public Buildings so hereby incorporated as aforesaid, their Successors and Assigns, for ever, who shall be deemed in Law to be in the actual Seisin and Possession thereof, subject to the Leases or Agreements for Leases mentioned in the said Second Schedule, and with the same

Power

Power of Recovery of the Rents and compelling the Performance of the Covenants in the said Leases or Agreements respectively reserved or contained, and on the Part of the Tenants to be paid and performed, as were possessed by Her Majesty immediately before the passing of this Act, but freed and discharged and absolutely exonerated of and from all former and other Estates, Rights, Titles, Uses, Trusts, Intents, and Purposes, Interests, Claims, and Demands heretofore created, limited, or declared of or affecting the same, in trust nevertheless for the Purposes of this Act: Provided always, that all Rents in arrear at the passing of this Act, or which shall accrue due in respect of the Hereditaments comprised in the said Second Schedule to this Act, up to the first quarterly or half-yearly Day of Payment of such Rents which shall first happen after the passing of this Act, shall be received by the Commissioners of Her Majesty's Works and Public Buildings, but shall be payable and paid by them to the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues.

Hereditaments in the First Schedule (subject to Leases, &c.) vested in the Crown.

III. From and after the passing of this Act, the Hereditaments mentioned and comprised in the First Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, shall (subject to the Leases or Agreements for Leases in the said First Schedule to this Act mentioned or referred to) be and the same are by this Act vested in the Queen's most Excellent Majesty, Her Heirs and Successors for ever, as Part and Parcel of the Hereditary Revenues of the Crown within the Order and Survey of the Court of Exchequer, who shall be deemed in Law to be in the actual Seisin and Possession thereof, subject to the Leases or Agreements for Leases mentioned in the said First Schedule, and with the same Power of Recovery of the Rents and compelling the Performance of the Covenants in the said Leases or Agreements respectively reserved or contained, and on the Part of the Tenants to be paid and performed, as were possessed by the said Commissioners of Her Majesty's Works and Public Buildings immediately before the passing of this Act, but freed and discharged and absolutely exonerated from all other Estates, Rights, Titles, Uses, Trusts, Intents, and Purposes, Interests, Claims, and Demands heretofore created, limited, or declared of or affecting the same: Provided always, that all Rents in arrear at the passing of this Act, or which shall accrue due in respect of the Hereditaments comprised in the said First Schedule to this Act, up to the first quarterly or half-yearly Day of Payment of such Rents which shall first happen after the passing of this Act, shall be received by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues on behalf of Her Majesty, but shall be payable and paid by them to the Commissioners of

of Her Majesty's Works and Public Buildings, in trust for the Consolidated Fund.

Commissioners of Works to pay to Commissioners of Woods 2,600*l.*, being the Difference between Valuations of Property comprised in Schedules 1. and 2.

IV. And whereas it was referred to *John Clutton* of Number Eight, *Whitehall Place*, in the City of *Westminster*, Surveyor, on the Part of Her Majesty, and *James Pennethorne* of *Whitehall Yard* in the said City, Surveyor, on the Part of the Commissioners of Her Majesty's Works and Public Buildings, to value the Hereditaments respectively comprised in the First and Second Schedules to this Act; and the said *John Clutton* and *James Pennethorne* not having agreed touching the Value of such Hereditaments respectively, such Value has been ascertained and determined by *Daniel Norton* of *Old Broad Street* in the City of *London*, Surveyor, as the Umpire appointed by them; and in the Fourth Schedule to this Act is contained a Copy of the Award of the said *Daniel Norton* concerning the Premises aforesaid, whereby it appears that the Value of the Hereditaments comprised in the said First Schedule to this Act has been ascertained by the said *Daniel Norton* to be One hundred and twenty thousand six hundred Pounds, and that the Value of the Hereditaments comprised in the said Second Schedule to this Act has been ascertained to be One hundred and twenty-three thousand two hundred Pounds, and the said Sum of One hundred and twenty thousand six hundred Pounds being deducted from the said Sum of One hundred and twenty-three thousand two hundred Pounds, there remains a Balance of Two thousand six hundred Pounds: Be it therefore enacted, That the said Sum of Two thousand six hundred Pounds shall, within Three Calendar Months after the passing of this Act, be paid by the Commissioners of Her Majesty's Works and Public Buildings out of any Monies which may be put at their Disposal for the Purposes of this Act to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to be by them applied to the same Purposes as Monies arising from the Sale of Estates belonging to the Crown are by an Act of the Tenth Year of *George* the Fourth, Chapter Fifty, directed to be applied.

The Ground and Buildings coloured Yellow on Plan to vest in Commissioners hereby incorporated.

V. The Piece of Ground and Buildings in the said Plan coloured Yellow (being Hereditaments which were purchased out of Monies from the Consolidated Fund or otherwise for the Public Service) shall from and after the passing of this Act be vested in the said Commissioners so hereby incorporated as aforesaid, their Successors and Assigns, for the Purposes of this Act.

Commissioners of Works to carry this Act into execution.

VI. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings, and they are hereby authorized and empowered, out of any Monies which may be appropriated by

Parliament, and put at their Disposal for that Purpose, to purchase, as after provided or referred to, the Hereditaments in the Parish of *Saint Margaret Westminster* in the County of *Middlesex* mentioned and described in the Third Schedule to this Act, or such Part or Parts of the said Hereditaments not by this Act vested in the said Commissioners, and to pull down and remove the Buildings thereon when so purchased, and to appropriate the Sites of the said Buildings, and all the Ground and Buildings mentioned and described in the Second and Third Schedules to this Act, whether now used as Streets, Yards, or vacant Ground, or otherwise, as a Site for the Erection thereon of Offices and Buildings for the Public Service, and the necessary Accesses and Approaches to such Offices and Buildings, and to carry the Purposes of this Act into execution in manner herein mentioned.

The new Buildings and Offices to be erected out of Monies to be appropriated by Parliament.

VII. The Buildings and Offices so to be erected as aforesaid shall be erected out of such Monies as may from Time to Time be appropriated by Parliament, and placed at the Disposal of the said Commissioners for that Purpose, and as the Commissioners of Her Majesty's Treasury shall from Time to Time direct; and all Hereditaments so to be purchased, and the Hereditaments so by this Act vested in the said Commissioners, shall be vested in them for the Public Service, and shall be subject to the Provisions of an Act passed in the Session of Parliament holden in the Fifteenth Year of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act.

Plan to be deposited in the Office of Works, &c., and be open for Inspection.

VIII. The said Map or Plan, describing the Houses, Tenements, and Hereditaments on the Site or Sites of which the new Offices and Buildings for the Public Service are proposed to be erected and built, shall, when signed by the Commissioners for executing the Office of Lord High Treasurer, be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and the Map or Plan so deposited shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Certain Sections of 3 & 4 Vict. c. 87. incorporated with this Act.

IX. For the Purposes of this Act, the following Sections of the Eighty-seventh Chapter of the Statutes made in the Session of Parliament held in the Third and Fourth Years of the Reign of Her Majesty Queen *Victoria*, being *An Act to enable Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings to make additional Thoroughfares in the Metropolis*, namely,

namely, Sections Eleven to Twenty-six, both inclusive, Sections Twenty-eight to Fifty-seven, both inclusive, and Sections Sixty-six to Seventy-five, both inclusive, shall be deemed to be herein repeated, with the Alterations necessary to make the same applicable to the Purposes of this Act, and to the Commissioners hereby incorporated, instead of the Commissioners by that Act incorporated, and so as to enable the Commissioners hereby incorporated to carry into effect the Purposes of this Act; and all Provisions in the said Act referring to or affecting any particular Commissioners of Sewers, or Persons or Bodies having the Control of any Sewers, shall be held to apply to the Commissioners or Body or Person or Persons having the Control or Management of the Sewers to which such Provisions became applicable.

Period for Commissioners purchasing Houses, &c. limited.

X. If the Commissioners of Her Majesty's Works and Public Buildings shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Tenements, Ground, and Hereditaments, or Parts thereof respectively, which they are empowered by this Act to purchase, take, and use, in pursuance of the Provisions hereby referred to, then and from thenceforth the compulsory Powers hereby granted to them for such Purpose shall cease.

Application of Purchase Monies.

XI. With respect to any Purchase Monies payable into the Bank of *England* under the Provisions of this Act, the same shall be paid to the Account of the Accountant General of the Court of Chancery, pursuant to the Method prescribed by an Act of the Twelfth Year of King *George* the First, intituled *An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Indorsements thereon, and likewise Indorsements on* South Sea *Bonds*, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Use of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court*, in like Manner as Monies are by the said Act of the Third and Fourth Years of the Reign of Her present Majesty directed to be paid to the Account of the Accountant General of the Court of Exchequer; and such Monies shall be applied under the Direction of the Court of Chancery in like Manner as Monies are by the said Act

12 G. 1. c. 32.

12 G. 2. c. 24.

Act directed to be applied under the Directions of the Court of Exchequer, with such Powers to the Court of Chancery with regard to Costs as by the said Act of the Third and Fourth Years of the Reign of Her present Majesty, Chapter Eighty-seven, were vested in the Court of Exchequer.

Monies payable to the Commissioners of Works, &c. to be paid over to the Paymaster General.

XII. All Monies payable to the Commissioners of Her Majesty's Works and Public Buildings, under the Provisions of this Act, from the Sale of any Materials or otherwise, shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt, unstamped, shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the said Commissioners shall so direct.

Contracts made by First Commissioner of Works to be valid.

XIII. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings, in the Execution of any of the Powers by this Act given to the said Commissioners of Her Majesty's Works and Public Buildings, incorporated as aforesaid, shall be valid, and shall be binding on the said Commissioners as if the same had been under their Corporate Seal.

Deeds to be enrolled in the Court of Exchequer.

XIV. Every Conveyance, Assignment, or other Deed or Instrument whereby any of the Hereditaments by this Act authorized to be purchased shall be conveyed or assigned to the Commissioners of Her Majesty's Works and Public Buildings, for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners of Her Majesty's Works and Public Buildings; and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be as good and available in Law, and of the like Force and Effect in all respects, and to all Intents and Purposes, as if the same or a Memorial thereof had been registered in the Office appointed for registering Deeds and other Conveyances of Lands and Tenements in the County of *Middlesex*, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Short Title.

XV. It shall be sufficient for all Purposes to cite this Act as "The *Downing Street* Public Offices Extension Act, 1855."

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE No. 1., also referred to by the Award of Daniel Norton.

Name of Lessee.	Premises.		Annual Rent. £ s. d.	Date of Lease.	Term granted.	Expiration of Lease.
Sir Henry Meux and Co. -	A Messuage on the South Side of Oxford Street - - -	No. 441	50 0 0	14th October 1854 -	80 Years -	Lady-day 1925.
John Hill - - -	Ditto - - -	442	35 0 0	Agreement dated 14th April 1845. Lease not yet granted.	80 Years -	Lady-day 1925.
Idem - - -	Ditto - - -	443	32 0 0			
Idem - - -	Ditto - - -	444	35 0 0			
Idem - - -	Ditto - - -	445	24 10 0			
George Healey - -	Ditto - - -	446	205 0 0 including Nos. 449 & 450	Lease not yet granted	80 Years -	Lady-day 1925.
Idem - - -	Ditto - - -	447				
George Plum - - -	Ditto - - -	448	55 10 0	12th September 1850	80 Years -	Lady-day 1925.
George Healey - -	Ditto - - -	449	See Nos. 446 and 447 above.	—	—	—
Idem - - -	Ditto - - -	450				
John Todd Merrick - -	A Factory behind Houses on the South Side of Oxford Street -	—	79 0 0	22d January 1846 -	80 Years -	Lady-day 1925.
Charles Pitt Barclay -	A Messuage on the South Side of Oxford Street - - - (Corner of the new Street leading to St. Giles's Church).	451	10 0 0	11th December 1845	80 Years -	Lady-day 1925.
John Todd Merrick - -	Ditto, 2d East from ditto -	452	70 0 0	22d December 1845	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 3d ditto - -	453	70 0 0	20th December 1845	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 4th ditto - -	454	70 0 0	19th December 1845	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 5th ditto - -	455	70 0 0	18th December 1845	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 6th ditto - -	456	70 0 0	17th December 1845	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 7th ditto - -	457	12 0 0	28th July 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 8th ditto - -	458	12 0 0	29th July 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 9th ditto - -	459	70 0 0	30th July 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 10th ditto - -	460	70 0 0	31st July 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 11th ditto - -	461	70 0 0	1st August 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 12th ditto - -	462	70 0 0	3d August 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 13th ditto - -	463	95 0 0	4th August 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ground and Premises in the Rear of Messuages South Side of Oxford Street - - -	—	2 0 0	28th July 1853 -	80 Years -	Lady-day 1925.

Downing Street Public Offices Extension.

Name of Lessee.	Premises.		Annual Rent. £ s. d.	Date of Lease.	Term granted.	Expiration of Lease.
John Todd Merrick - -	Ground and Premises in the Rear of Messuages South Side of Oxford Street - - -	No. –	0 12 0	28th July 1853 -	80 Years -	Lady-day 1925.
Samuel Rowe Brooking -	A Messuage on the South Side of Oxford Street - - - (2d House Westward from George Street.)	464	37 15 0	1st December 1845 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, Corner of Oxford Street and George Street - -	465	37 15 0	2d December 1845 -	80 Years -	Lady-day 1925.
Joseph and William Bennett -	Ditto, Corner of Bloomsbury Street - - - -	467	40 0 0	27th December 1847	80 Years -	Christmas 1926.
Idem - - -	Ditto, 2d East from ditto -	468	20 0 0	30th December 1847	80 Years -	Christmas 1926.
Fanny Ann Bell - -	Ditto, 3d ditto (Crown Public House) - - -	469	60 0 0	19th August 1848 -	36 Years -	Christmas 1880.
Sir Henry Meux and Co. -	Ditto, 4th ditto - -	470	47 0 0	19th August 1848 -	80 Years -	Lady-day 1925.
Joseph and William Bennett -	Ditto, 2d House Westward from the Corner House of Oxford Street and Thorney Street	471	30 0 0	29th December 1847	80 Years -	Christmas 1926.
Idem - - -	Ditto, 1st House Westward from ditto - - -	472	30 0 0	28th December 1847	80 Years -	Christmas 1926.
Idem - - -	Ditto, Corner House of Oxford Street and Thorney Street -	473	40 0 0	24th December 1847	80 Years -	Christmas 1926.
Hugh Welch Cooper -	Messuage on the South Side of Oxford Street - - -	480	35 0 0	22d November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, 2d East from ditto -	481	35 0 0	27th November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, 3d ditto - -	482	30 0 0	26th November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, 4th ditto - -	483	30 0 0	23d November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, Corner of the North Side of Hyde Street -	484	25 0 0	24th November 1849	80 Years -	Michaelmas 1926.
Idem - - -	A Messuage at the Corner or East Side of Museum Street and Hyde Street Bloomsbury - -	53	20 0 0	22d November 1849	80 Years -	Michaelmas 1926.
Thomas Probyn - -	A Messuage on the North Side of Holborn (Compasses Public House)	146	80 0 0	21st October 1845 -	60 Years -	Lady-day 1905.
Robert Cox - - -	A Messuage on the South Side of Oxford Street, 3d West from Holborn - - - -	492	40 0 0	16th April 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 2d ditto Westward from Holborn - - -	493	70 0 0	18th April 1846 -	80 Years -	Lady-day 1925.

Downing Street Public Offices Extension.

Idem - - -	Ditto, Corner of Holborn -	494	51 10 0	17th April 1846 -	80 Years -	Lady-day 1925.
John Swaine - - -	Ditto, North Side of Oxford Street (North-west Corner of Bury Place) - -	495	52 8 0	27th January 1847 -	80 Years -	Lady-day 1926.
Richard Hodge - - -	Ditto, 2d West from ditto -	496	90 0 0	8th August 1850 -	80 Years -	Lady-day 1926.
Idem - - - -	Ditto, 3d ditto -	497	87 12 6	11th November 1848	80 Years -	Lady day 1926.
Idem - - - -	Ditto, 4th ditto -	498	79 12 0	28th July 1849 -	76¾ Years -	Lady-day 1926.
Kensington, Lewis - -	Ditto - - - - -	504	110 0 0	14th April 1852 -	80 Years -	Lady-day 1925.
—	And a Messuage in the Rear thereof, No. 7, Hart Street - -	—	—	—	—	—
Idem - - - -	Ditto - - -	505	106 0 0	14th April 1852 -	80 Years -	Lady-day 1925.
—	And a Messuage in the Rear thereof, No. 6, Hart Street - -	—	—	—	—	—
Idem - - - -	Ditto, 3d East from Hart Street	506	105 0 0	10th December 1849	80 Years -	Lady-day 1925.
Samuel Rowe Brooking -	Ditto, 2d ditto -	507	80 0 0	24th February 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, Corner of Hart Street -	508	80 0 0	23d February 1846 -	80 Years -	Lady day 1925.
Joseph and William Bennett -	Ditto, North-west Corner of Oxford Street and Duke Street - - -	516	55 0 0	16th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 9th Eastward from Bloomsbury Street -	517	49 19 0	15th June 1846 -	80 Years -	Lady day 1925.
Idem - - - -	Ditto, 8th ditto -	518	40 0 0	13th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 7th ditto -	519	40 0 0	12th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 6th ditto -	520	40 0 0	11th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 5th ditto -	521	50 0 0	10th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 4th ditto -	522	45 0 0	9th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 3d ditto -	523	40 0 0	8th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 2d ditto -	524	45 0 0	6th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, North-east Corner of Oxford Street and Bloomsbury Street - - -	525	45 0 0	17th June 1846 -	80 Years -	Lady-day 1925.
William Kitchen - -	Ditto, Corner of the West Side of George Street - -	533	156 0 0	29th June 1848 -	80 Years -	Christmas 1925.
John Todd Merrick - -	Ditto, 2d West from ditto -	534	50 0 0	31st October 1849 -	80 Years -	Michaelmas 1928.
George Dodd - - -	Ditto, 3d ditto -	535	5 0 0	17th August 1849 -	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 4th ditto -	536	5 0 0	9th August 1850 -	80 Years -	Michaelmas 1928.
Idem - - - -	A Messuage on the North Side of Oxford Street, 5th West of George Street - - - -	537	5 0 0	10th August 1850 -	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 6th ditto -	538	5 0 0	12th August 1850 -	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 7th ditto -	539	5 0 0	17th August 1849 -	80 Years -	Michaelmas 1928.

Downing Street Public Offices Extension.

Name of Lessee.	Premises.	No.	Annual Rent. £	s.	d.	Date of Lease.	Term granted.	Expiration of Lease.
John Todd Merrick - -	A Messuage on the North Side of Oxford Street, 8th West of George Street - - - -	540	50	0	0	13th December 1849	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 9th ditto -	541	50	0	0	12th December 1849	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 10th ditto -	542	50	0	0	11th December 1849	80 Years -	Michaelmas 1928.
Idem - - - -	Several Messuages forming the Arcade behind Nos. 534 to 540 on the North Side of Oxford Street -	–	275	0	0	1st March 1851 -	80 Years -	Michaelmas 1928.
William and George Law -	A Messuage on the North Side of Oxford Street, 7th East of Bainbridge Street - - -	544	100	0	0	2d November 1854 -	80 Years -	Michaelmas 1928.
Robert Archbutt - -	Ditto, 6th ditto -	545	42	0	0	24th April 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 5th ditto -	546	63	0	0	25th April 1846 -	80 Years -	Lady-day 1925.
Thomas Archbutt - -	Ditto, 4th ditto -	547	52	10	0	24th April 1846 -	80 Years -	Lady day 1925.
Idem - - -	Ditto, 3d ditto -	548	52	10	0	23d April 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 2d ditto -	549	52	10	0	22d April 1846 -	80 Years -	Lady-day 1925.
Samuel Archbutt - -	Ditto - - - -	550	52	10	0	22d April 1846 -	80 Years -	Lady-day 1925.
Joseph and William Bennett -	A Messuage on the East Side of Bloomsbury Street, 2d South from Oxford Street - - -	–	20	0	0	31st December 1847 -	80 Years -	Christmas 1926.
William Acocks - -	Ditto, 3d from ditto - -	–	60	0	0	9th March 1850 -	40 Years -	Michaelmas 1888.
Samuel Morton Peto - -	A Chapel and Schoolhouse on the West Side of Bloomsbury Street -	–	200	0	0	31st July 1848 -	80 Years -	Lady-day 1927.
Mary Ann Wright - -	A Messuage in Hyde Street, Bloomsbury, the Bull's Head Public House - - - -	26	70	0	0	30th August 1848 -	21 Years -	Lady day 1876.
Thomas Arthur Edwards -	A Messuage No. 145 in High Holborn	–	28	0	0	25th April 1853 -	14 Years -	Lady-day 1866.
William Hersee - -	A Messuage at the Corner of High Holborn and Broad Street -	–	80	0	0	3d July 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	A Messuage on the West Side of Bloomsbury Street, being the 2d House Northward from Broad Street - - - -	–	55	0	0	3d July 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	Ditto, 3d ditto -	–	15	0	0	18th August 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	Ditto, 4th ditto -	–	15	0	0	18th August 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	Ditto, 5th ditto -	–	15	0	0	18th August 1854 -	80 Years -	Lady day 1933.
Idem - - - -	Ditto, 6th ditto -	–	15	0	0	18th August 1854 -	80 Years -	Lady-day 1933.
Herbert Sturmey - -	Ditto, 7th ditto -	–	15	0	0	18th August 1854 -	80 Years -	Lady-day 1933.

SCHEDULE No. 2., also referred to by the Award of Daniel Norton.

Downing Street.

Tenant.	Situation.	Tenure.	Amount of Rent.		
			£	s.	d.
Secretary of State for Colonial Affairs.	Two Messuages in Downing Square.	Yearly Tenancy at 20*l.* per Annum, less Land Tax 4*l.*	16	0	0
Secretary of State for Foreign Affairs.	Three Messuages in Downing Street and Downing Square, and Two Messuages Nos. 5 and 6 Fludyer Street.	Yearly Tenancy at 1,400*l.* per Annum.	1,400	0	0
Henry Doughty -	A Messuage in Crown Street	Lease for Fifty-six Years and a Half from 5th April 1809 at 32*l.* 3*s.* 6*d.*	32	3	6
William Ross - -	Ditto - -	Ditto - -	37	12	0
Catherine Barnes -	Ditto - -	Lease for Sixty-one Years from 10th October 1812.	37	2	0
Chancellor of the Exchequer.	Two Messuages in Downing Square.	—	—		
First Lord of the Treasury.	Ditto.	—	—		
The Lords of the Treasury.	Part of the Yard of the Treasury Chambers.	—	—		
—	Vacant Ground, Downing Street.	—	—		
—	Vacant Ground between Crown Street and the South Parade.	—	—		
—	The Site of Part of the Passage leading from Downing Street to St. James's Park.	—	—		
—	The Site of Downing Street and Downing Square.	—	—		

SCHEDULE No. 3.

The Parish of SAINT MARGARET in the City and Liberty of Westminster in the County of Middlesex.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Saint James's Park, South Parade.		
18	Dwelling House and Yard.	Sir Samuel Fludyer, Bart.	Edward Erskine Tustin.	Empty.
		Fludyer Street.		
8	Dwelling House and Yard.	Sir Samuel Fludyer, Bart.	Edward Erskine Tustin.	Edward Erskine Tustin.
10	Dwelling House and Yard.			Empty.
11	Dwelling House and Yard.		David Eaton -	David Eaton.
12	Dwelling House and Yard.		Henry Morrison -	Henry Morrison.
13	Dwelling House and Yard.		- - -	Jessie Beetson, Peter Thompson.
14	Dwelling House and Yard.		James Jackson -	Alexander Dalgleish.
15	Dwelling House and Yard.		- - -	Ann Law.
16	Dwelling House and Yard.		Thomas Jones, Margaret Jones.	Margaret Jones.
17	Dwelling House and Yard.		William Bowley -	James Dodds.
17			Hugh Hope -	John Borthwick Greig, Charles Sanderson, Hugh Hope.
18	Dwelling House and Yard.		Thomas Knox Holmes, James Anton, Walter Turnbull.	Thomas Knox Holmes, James Anton, Walter Turnbull.
19	Dwelling House and Yard.		Hugh Hope, Charles Waring.	Charles Waring.
20	Dwelling House and Yard.		William Wainewright	William Wainewright.
21	Dwelling House and Yard.		John Richardson, William Adam Lock, Dougald Maclaurin.	John Richardson, William Adam Lock, Dougald Maclaurin.
22	Dwelling House and Yard.		- - - -	Alexander Gordon.
23	Dwelling House and Yard.		Thomas Deans -	Thomas Deans.

Downing Street Public Offices Extension.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees, or reputed Lessees.	Occupiers.
–	Public Street -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.

King Street.

–	Public Street -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
6	Dwelling House, Shop, and Back Premises	The Dean and Chapter of St. Peter Westminster.	James Elyard, Edward Hoey.	Edward Hoey.
7	Dwelling House, Shop, back Premises, and Yard.		Thomas Denley -	Thomas Denley.
9	Public House called the "Anchor and Crown," with Yard, Workshops, and Premises in the Rear, and Right of Way to Yard in Say's Alley.		James Bigg, Joseph Carter Wood, George Garwood.	George Garwood.
10	Dwelling House, Shop, Workshops, Premises in the Rear, and Yard.	The Dean and Chapter of St. Peter Westminster, Joseph Gurney.	Edward Higgs, Hemdan Higgs.	Edward Higgs, Hemdan Higgs, Thomas Henry Harris.
11	Public House called the "Coach and Horses," with Yard, Outbuilding, Premises in the Rear, and back Entrance to Say's Alley.	The Dean and Chapter of St. Peter Westminster.	Eliza Fitzherbert Forssteen, John Carpenter.	John Carpenter.
12	Dwelling House, Shop, and Yard, and Passage to Say's Alley.	The Dean and Chapter of St. Peter Westminster.	Richard Whatley, John Stone, Elizabeth Wilmot Whatley.	David Moss.
12	Dwelling House, Shop, and Yard.		William Thomas Mackrell.	John Geesing.
14 and 1, Lower Crown Street.	Dwelling House, Shop, and Yard.			John Fisher.

Downing Street Public Offices Extension

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Lower Crown Street.		
-	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
2	Dwelling House and Yard.	The Dean and Chapter of St. Peter Westminster.	William Thomas Mackrell.	Charles Coote.
3	Dwelling House and Yard.			William Tiddy.
4	Dwelling House and Yard.			George Edward Bent.
5	Dwelling House and Yard.			Henry Welch.
6	Dwelling House and Yard.			Elizabeth Powell.
7	Dwelling House and Yard.			William Davies.
8	Dwelling House and Yard.			James Hallifax.
9	Dwelling House and Yard.			John Wadley.
10	Dwelling House and Yard.			William Eve.
11	Dwelling House and Yard.			Joel Bowditch.
12	Public House called the "Rose and Crown," with Yard.		Richard Whatley, John Stone, Elizabeth Wilmot Whatley, Henry William Miles, Edwin Walker.	Edwin Walker.
		Upper Crown Street.		
-	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
57	Dwelling House, Yard, Stables, Coach-houses, Sheds, and Outbuildings.	The Dean and Chapter of St. Peter Westminster.	William Griffith -	George Dawson, Thomas Dicks Carter.

Downing Street Public Offices Extension.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
14	Dwelling House and Yard.	The Dean and Chapter of St. Peter Westminster.	William Griffith -	Sarah Pymm.
15	Dwelling House and Yard.			Frances Grant.
16	Dwelling House and Yard.		Eliza Fitzherbert Forssteen.	Robert Tyler.
17	Dwelling House and Yard.			Mark Kerslake.
18	Dwelling House and Yard.			John Searle.

Crown Yard.

1	Cottage and Yard -	The Dean and Chapter of St. Peter Westminster.	Mary Ann Davis, William Inwood.	William Dawson.
2	Cottage and Yard -			Samuel Janes.

Say's Alley.

–	Carpenters Shops, Stables, Coach-houses, and Sheds.	The Dean and Chapter of St. Peter Westminster.	Richard Whatley, John Stone, Elizabeth Wilmot Whatley, Henry William Miles.	Thomas Dicks Carter.
2	Dwelling House, Coach-house, and Yard.		Eliza Fitzherbert Forssteen, James Bigg, Charles Payne.	Charles Payne and his weekly Tenants.
–	Stables, Coach-houses, Sheds, and Yard.		Eliza Fitzherbert Forssteen, James Bigg, Charles Payne, George Garwood.	Charles Payne and his weekly Tenants, George Garwood.
–	Public Way - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.

Duke Street.

–	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.

Downing Street Public Offices Extension.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Downing Street.		
-	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
15	The Foreign Office	The Crown - -	- - -	The Crown.
16				
-	Vacant Ground -			
		Saint James's Park, South Parade.		
-	Vacant Ground -	The Crown -	- - -	The Commissioners of Metropolitan Police.
21	Dwelling House and Yard.		Henry Wood, Kenneth Macaulay.	Kenneth Macaulay.
20	Dwelling House and Yard.		William Pulteney Scott, Isambard Kingdom Brunel.	Isambard Kingdom Brunel, Joseph Bennett.
19	Dwelling House and Yard.		Elizabeth Morice, Peter Brophy.	Peter Brophy.

SCHEDULE No. 4.

I, Daniel Norton, of Old Broad Street, Surveyor, having been appointed by John Clutton and James Pennethorne to value the Hereditaments respectively comprised in the First and Second Schedules to this my Award annexed, do ascertain and determine that the Value of the Hereditaments comprised in the First Schedule is One hundred and twenty thousand six hundred Pounds, and that the Value of the Hereditaments comprised in the said Second Schedule s One hundred and twenty-three thousand two hundred Pounds. As witness my Hand this Twelfth Day of July One thousand eight hundred and fifty-five.

(Signed) D. Norton,
62, Old Broad Street.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

***

the Fourth Year of the Reign of King *William* the Fourth, Chapter Fifteen; and the several Orders, Rules, and Regulations which may be issued under the Authority of this Act by the said Commissioners of Her Majesty's Treasury, as relating to such Specifications and Acquittances as aforesaid, shall be laid before both Houses of Parliament within Six Weeks after the Issue of such Orders, Rules, and Regulations, if Parliament shall be sitting, or if not sitting, then within Six Weeks next immediately after the re-assembling of Parliament.

Importation of Tobacco in Packages less than 80 lbs. prohibited.

II. Tobacco, Cigars, and Snuff are hereby prohibited to be imported into the United Kingdom, unless in whole and complete Packages, each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff, and unless in Ships of not less than One hundred and twenty Tons Burden, and unless into such Ports as are or may be approved by the Commissioners of Customs for the Importation and Warehousing of Tobacco; and any Tobacco, Cigars, or Snuff imported into the United Kingdom contrary hereto shall be subject to the Provisions contained in the Forty-fourth Section of "The Customs Consolidation Act, 1853," in the same Manner as if this Prohibition had been originally enacted in the Table of Prohibitions and Restrictions to the said Section, of which it is hereby declared to form a Part.

Goods not reported may be detained till Requisites complied with.

III. Goods not duly reported may be detained by any Officer or Officers of Customs until the same are so reported, and the Cause of the Omission explained to the Satisfaction of the Commissioners of Customs, who may thereupon restore the same on such Terms as they may deem proper; and such Goods may in the meantime, should the said Commissioners deem necessary, be removed to the Queen's Warehouse.

Time for perfecting Entries by Bills of Sight may be extended.

IV. The Time prescribed by the Sixty-fourth Section of "The Customs Consolidation Act, 1853," for perfecting Entries by Bill of Sight, may be extended at the Discretion of the Commissioners of Customs.

Commissioners of Customs may permit special Entries in particular Cases.

V. The Commissioners of Customs may permit the Entries of Goods in such Form and Manner and on such Conditions as they may direct to meet the Exigencies of any Case to which the general Laws and Regulations may not be strictly applicable.

Goods not worth the Duty, &c. in the Queen's Warehouse may be destroyed.

VI. All Goods not being of a perishable Nature deposited in the Queen's Warehouse, and not cleared within Three Months, and all Goods of a perishable Nature so deposited and not cleared forthwith, may, in case the same cannot be sold for a Sum sufficient to pay the Duties and Charges if offered for Sale for Home Consumption, or the Charges if offered for Sale for Exportation, be destroyed by Direction of the Commissioners of Customs.

Combustibles not to be deposited

VII. No Goods of a combustible or inflammable Nature shall be brought into or deposited in the Queen's Warehouse, unless with the Sanction

Sanction of the Commissioners of Customs; and if any such Goods shall be landed by the Officers of Customs under the Seventy-fourth Section of "The Customs Consolidation Act, 1853," the same may be deposited in any Place that such Officers may deem fit, and whilst so deposited the same shall be deemed to be in the Queen's Warehouse, and be liable to be dealt with, at the Expiration of Fourteen Days, in the same Manner as Goods of a perishable Nature actually deposited in the Queen's Warehouse, unless duly cleared or warehoused in some approved Warehouse in the meantime; and such Goods shall be chargeable with such Expenses for securing, watching, and guarding the same until sold, cleared, or warehoused as aforesaid, as the Commissioners shall see fit, and neither the said Commissioners nor their Officers shall be liable to make good any Damage which such Goods may sustain by reason or during the Time of their being so deposited and dealt with as aforesaid.

in Queen's Warehouse.

VIII. On the re-warehousing in the Name of the Proprietor of Goods, either by himself or by the Warehouse-keeper, after the Expiration of Five Years from the last preceding warehousing or re-warehousing thereof under Sections One hundred and three and One hundred and four of "The Customs Consolidation Act, 1853," the Commissioners of Customs may (first being satisfied that the same are in the Warehouse, that the Packages are entire, and that there is no Ground to suspect that there is any undue Deficiency therein) dispense with the re-weighing, re-gauging, or re-measuring, and strict Examination thereof, if they be such as are liable on Delivery to the Payment of Duty according to the landing Weight, Measure, or Quantity thereof, and also at the Request of the Warehouse-keeper or Proprietor of the Warehouse may (first being satisfied as aforesaid) dispense with the re-weighing, re-gauging, re-measuring, or strict Examination on such re-warehousing as aforesaid of Goods being Wines or other Goods the Duties whereon are payable at the Delivery, Weight, Measure, or Quantity, and which may be liable to Injury by such re-weighing, re-gauging, re-measuring, or strict Examination; but in either of these Cases the Warehouse-keeper or Proprietor of such Warehouse shall be liable at the Time of Delivery of such Goods to pay the Duties due on any Deficiency therein not allowed by Law which may then be found to exist, instead of being called upon to make good any Deficiencies which might have been found to exist had such re-weighing, re-gauging, re-measuring, or Examination been resorted to at the Time of such re-warehousing.

Power to dispense with the re-weighing, &c. of Goods on quinquennial re-warehousing, in certain Cases.

IX. No Goods shall be shipped, put off, or water-borne to be shipped for Exportation from any Port or Place in the United Kingdom, except on Days not being *Sundays* or Holidays, nor from any Place except some Legal Quay, Wharf, or other Place duly appointed for such Purpose, nor without the Presence or Authority of the proper Officer

Goods not to be shipped except on proper Days and Places, nor until Entry and Clearance.

Officer of Customs, nor before due Entry Outwards of such Ship and due Entry of such Goods, nor before such Goods shall have been duly cleared for Shipment; and any Goods shipped, put off, or water-borne to be shipped contrary hereto shall be forfeited; and it shall be lawful for the Searcher to open or cause to be opened and to examine all Goods shipped or brought for Shipment at any Place in the United Kingdom, and the opening for that Purpose of Packages containing Goods upon which any Drawback of Customs or Inland Revenue is claimed, and the weighing, repacking, landing (when water-borne), and the shipping thereof shall be done by or at the Expense of the Exporter.

Searcher may open Packages and examine Goods.

Penalty on failing to deliver Shipping Bill.

X. Any Exporter of Goods who shall fail, either by himself or his Agent, to deliver to the Searcher a Shipping Bill, with Duplicates thereof, of the Goods exported by him, as prescribed by the One hundred and twenty-fifth Section of "The Customs Consolidation Act, 1853," shall forfeit the Sum of Twenty Pounds.

Penalty on departing without being cleared.

XI. If any Ship having Cargo on board shall depart from any Port without being duly cleared, the Master shall forfeit the Sum of One hundred Pounds.

As to Exportation of British and Irish Spirits to Isle of Man, &c.

XII. *British* or *Irish* Spirits may be exported from *Great Britain* or *Ireland* to Parts beyond the Seas or be removed to the *Isle of Man* in Casks of the Content of Ten Gallons each at the least, but no *British* or *Irish* Spirits shall be removed or exported from the *Isle of Man* to any other Part of the United Kingdom, under pain of Forfeiture thereof.

Foreign Ships in the Coasting Trade to be subject to the same Rules as British Ships.

XIII. Every Foreign Ship employed in carrying Goods or Passengers Coastwise from one Part of the United Kingdom to another, or from the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man* to the United Kingdom, or from the United Kingdom to any of the said Islands, or from any of the said Islands to any other of them, or from any Part of any one of the said Islands to any other Part of the same, shall be subject, as to Stores for the Use of the Crew and in all other respects, to the same Laws, Rules, and Regulations to which *British* Ships when so employed are now subject.

Foreign Ships employed in the Coasting Trade not to be subject to higher Rates than British Ships.

XIV. No Foreign Ship employed in the Coasting Trade as aforesaid, nor any Goods carried in any such Ship, shall, during the Time such Ship is so employed, be subject to any higher or other Rate of Dock, Pier, Harbour, Light, Pilotage, Tonnage, or other Dues, Duties, Tolls, Rates, or other Charges whatsoever, or to any other Rules as to the Employment of Pilots, or any other Rules or Restrictions whatsoever, than *British* Ships employed in like Manner or Goods carried in such Ships, any Law, Charter, special Privilege, or Grant to the contrary

contrary notwithstanding; nor shall any Body Corporate or Person having or claiming any Right or Title to any such higher or other Rates, Dues, Duties, Tolls, or other Charges as aforesaid be entitled to any Compensation in respect thereof under any Law or Statute relating thereto, or otherwise howsoever.

Her Majesty may exercise such Powers as conferred by Sections 324, 325, and 326 of 16 & 17 Vict. c. 107.

XV. It shall be lawful for Her Majesty to exercise in respect of Foreign Ships employed in the Coasting Trade as aforesaid, and of Goods carried Coastwise in such Ships, such or the like Powers as are conferred on Her Majesty by the Three hundred and twenty fourth, Three hundred and twenty-fifth, and Three hundred and twenty-sixth Sections of the said Customs Consolidation Act, 1853, in respect of Foreign Ships employed in the Over-sea Trade, and of Goods exported or imported in such Ships.

Powers of Commissioners of Customs as to Colonies extended to Governors, &c.

XVI. The Powers and Authorities now vested in the Commissioners of Customs with regard to any Act or Thing relating to the Customs or to Trade or Navigation in any of the *British* Possessions abroad shall, from and after the passing of this Act, be vested in the Governor, Lieutenant Governor, or other Person administering the Government in any such Possession, and every Act required by any Law to be done by or with any particular Officer or at any particular Place, if done by or with any such Officer or at any Place appointed or nominated by such Governor, Lieutenant Governor, or other Person so administering such Government, shall be deemed to have been done by or with such particular Officer or at such particular Place, as the Case may be, and as required by Law; and all Commissions, Deputations, and Appointments granted to any Officers of Customs in force at the Commencement of this Act shall have the same Force and Effect to all Intents and Purposes as if the same had been granted or made in the first instance by such Governor, Lieutenant Governor, or Person so administering the Government of any such Possession; and all Bonds or other Securities which shall have been given by or for any such Officers and their respective Securities for good Conduct or otherwise shall remain in force, and shall and may be enforced and put in suit at the instance of or by Directions of any such Governor, Lieutenant Governor, or Person administering the Government of any such Possession.

The Bay Islands to be placed on the same Footing as the Bermudas.

XVII. The Islands in the *Bay of Honduras* called the *Bay Islands* shall be deemed and taken to be excepted or excluded from the Operation of the One hundred and fifty-ninth Section of the "Customs Consolidation Act, 1853," to the same Extent as the *Bahamas* or *Bermuda* Islands are thereby excepted or excluded.

Provision as to Importation of Tobacco, &c. into Channel Islands.

XVIII. No Tobacco, Cigars, or Snuff shall be imported into the Channel Islands, nor be carried from any one of the said Islands to another of them, or from one Part of any of the said Islands to

 another

another Part of the same, unless in Ships of not less Burden than Fifty Tons, except from the United Kingdom in Ships of not less than Forty Tons Burden regularly trading from thence to those Islands, nor unless in Packages each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff, nor unless the Provisions in and under which the like Sort of Goods may be legally imported into the United Kingdom are complied with; and all Tobacco, Cigars, or Snuff imported into the said Island or carried, shipped, or removed contrary hereto, or which shall be found or discovered to have been on board any Ship or Boat within One League of the Coasts thereof, shall be forfeited, together with the Ship or Boat.

As to importing and exporting Spirits from and to the Channel Islands in Ships of 50 Tons and Casks of 20 Gallons.

XIX. No Spirits (except Rum of the *British* Plantations) shall be imported into or exported from the Channel Islands or any of them, or be removed from any one to any other of the said Islands, or be carried Coastwise from any one Part to any other Part of any One of the said Islands, or shall be shipped in order to be so removed or carried in any Ship of less Burden than Fifty Tons, or in any Cask or other Vessel capable of containing Liquids not being of the Size or Content of Twenty Gallons at the least; and all Spirits imported, exported, removed, carried, shipped, or waterborne to be so shipped, removed, or carried contrary hereto shall be forfeited, together with the Ship and any Boat importing, exporting, removing, or carrying the same: Provided always, that nothing herein contained shall extend to any Spirits imported in any such Ship in Glass Bottles as Part of the Cargo, nor to any Spirits being really intended for the Consumption of the Seamen and Passengers of such Ship during their Voyage, and not being more in Quantity than is necessary for that Purpose; nor to any warehoused Goods exported from the United Kingdom in Ships of not less than Forty Tons Burden being regular Traders to those Islands; nor to any Boat of less Burden than Ten Tons, for having on board at any One Time any Foreign Spirits of the Quantity of Ten Gallons or under, such Boat having a Licence from the proper Officer of Customs at either of the Islands of *Guernsey* or *Jersey* for the Purpose of being employed in carrying Commodities for the Supply of the Island of *Sark*, which Licence such Officer of Customs is hereby required to grant without Fee or Reward; but if any such Boat shall have on board at any One Time any greater Quantity of Spirits than Ten Gallons, unless in Casks or Packages of the Size and Content of Twenty Gallons at the least, such Spirits and Boat shall be forfeited.

Not to extend to Spirits in Glass Bottles, or to Stores: nor to certain warehoused Goods exported; nor to licensed Boats of Ten Tons supplying Island of Sark.

Prohibited Goods not to be shipped from the

XX. If in the Channel Islands any Goods the Importation whereof into the United Kingdom is prohibited, or any Goods in any Packages or in any Manner in which the same cannot be legally imported

imported into the United Kingdom, shall be shipped or brought to any Wharf, Quay, or other Place in or be waterborne to be shipped on board any Ship clearing or departing from those Islands to the United Kingdom, such Goods shall be forfeited, and any Person who shall so ship, bring, or waterbear to be shipped any such Goods, or be otherwise knowingly concerned therein, shall forfeit the Sum of One hundred Pounds or Treble the Value of the Goods, at the Election of the Commissioners of Customs.

Channel Islands to the United Kingdom.

XXI. Where any Seizures of Tobacco or Spirits shall be made in any of the Channel Islands or within One League of the Coast thereof by any Officer of Customs or Person employed for the Prevention of Smuggling, it shall be lawful for the Commissioners of Customs to allow to such Officer or Person such Reward beyond the Sum directed by the One hundred and eighty-fourth Section of "The Customs Consolidation Act, 1853," as the said Commissioners may deem advisable, not exceeding in any Case the Sum of Five Pounds.

Reward to Officers for Seizures in Channel Islands.

XXII. The Terms "Governor, Deputy Governor, and Deemster," used in the Two hundred and sixty-third and Two hundred and seventy-seventh Sections of "The Customs Consolidation Act, 1853," shall be deemed to apply to and include Jurats of any of the Channel Islands, and each such Jurat shall have and exercise, in respect of any Offence against any Act relating to the Customs committed in or within One League of the Island in which he may be a Jurat, the same Powers as are vested in any Justice of the Peace in respect of any such Offences committed therein.

The Terms, "Governor, &c." in Channel Islands to include Jurats, who are to have the same Power.

XXIII. Any Goods the Growth of the *Isle of Man*, or there manufactured from Materials the Growth of the said Isle, or from Materials not subject to Duties in *Great Britain* or *Ireland*, or from Materials upon which the Duty has been paid in *Great Britain* or *Ireland* and upon which no Drawback has been subsequently granted, may be brought from the said Isle into *Great Britain* or *Ireland* without Payment of any Duty: Provided always, that such Goods may nevertheless be charged with such Proportion of such Duties as shall fairly countervail any Duties of Excise payable on the like Sort of Goods the Produce of that Part of the United Kingdom into which they shall be brought or payable upon any of the Materials from which such Goods are manufactured; and any Articles either wholly or in part manufactured in the said Isle from any Materials upon which a higher Duty is payable upon their Importation into the United Kingdom than on their Importation into the *Isle of Man*, may be brought from the said Isle into *Great Britain* or *Ireland* on Payment of the Duty payable on such Goods in that Part of the United Kingdom into which they shall be so brought.

Goods the Growth or Manufacture of Isle of Man may be imported into Great Britain or Ireland on Certificate, &c.

XXIV. The

Isle of Man to be Part of United Kingdom for Customs Purposes.

XXIV. The *Isle of Man* shall be deemed and taken to be Part of the United Kingdom for the Purposes of this or any other Act relating to the Customs; but nothing herein contained shall prejudice or affect, or be construed in any way, directly or indirectly, to prejudice or affect, any of the Rights or Privileges legally exercised or enjoyed by the said Isle at the Time of the passing of this Act.

Certain Vessels belonging to Her Majesty's Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, and Foreign Vessels, found within certain Distances of the Coast of the United Kingdom or Channel Islands with certain Goods on board, forfeited, with the Goods.

XXV. If any Ship or Boat belonging wholly or in part to Her Majesty's Subjects, or having Half the Persons on board Subjects of Her Majesty, shall be found or discovered to have been within Four Leagues of that Part of the Coast of the United Kingdom which is between the *North Foreland* on the Coast of *Kent* and *Beachy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the Coast of the United Kingdom, or if any Foreign Ship or Boat having One or more Subjects of Her Majesty on board shall be found or discovered to have been within Three Leagues of the Coast of the United Kingdom, or if any Foreign Ship or Boat shall be found or discovered to have been within One League of the Coast of the United Kingdom, or if any Ship or Boat shall be found or discovered to have been within One League of the Channel Islands, any such Ship or Boat so found or discovered, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tea exceeding Six Pounds Weight in the whole, or any Tobacco or Snuff not being in a Cask or a whole and complete Package containing Eighty Pounds Weight of Tobacco or Snuff at the least, or any Tobacco Stalks, Tobacco Stalk Flour, Snuff Work, or any Cordage or other Articles adapted and prepared for slinging or sinking small Casks, or any Casks or other Vessels whatsoever of less Size or Content than Twenty Gallons of the Description used for the smuggling of Spirits, then and in every such Case the said Spirits, Tea, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work, together with the Casks or Packages containing the same, and the Cordage or other Articles, Casks, and other Vessels of the Description aforesaid, and also the Ship or Boat, shall be forfeited.

Any Vessel or Boat arriving within any Port of the United Kingdom or of the Channel Islands having prohibited

XXVI. If any Ship or Boat shall be found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff, imported contrary to the Prohibitions and Restrictions contained

tained in this or any other Act relating to the Customs, or any Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work, every such Ship or Boat, and such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work shall be forfeited; but if it shall be made to appear to the Satisfaction of the Commissioners of Customs that such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work were on board without the Knowledge or Privity of the Owner or Master of such Ship or Boat, and without any wilful Neglect or Want of reasonable Care on their Parts, then and in such Case the said Commissioners shall deliver up the said Ship or Boat to the Owner or Master of the same.

Goods on board or attached thereto forfeited.

Power to Commissioners to waive Forfeiture.

XXVII. Nothing herein contained shall extend to render any Ship of One hundred and twenty Tons Burden or upwards liable to Forfeiture on account of any Tobacco, Cigars, or Snuff, if in whole and complete Packages, each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff; nor to render any Ship of Fifty Tons Burden or upwards liable to Forfeiture on account of any Tea, or of any Spirits in Glass Bottles or Stone Bottles not exceeding the Size of Three Pints each, such Tea and Spirits being really Part of the Cargo of such Ship; nor to render any Ship liable to Forfeiture on account of any Spirits or Tea, or of any Tobacco really intended for the Consumption of the Seamen or Passengers on board during their Voyage, and not being more in Quantity than is necessary for that Purpose; nor to render any Ship liable to Forfeiture if really bound from one Foreign Port to another Foreign Port, and pursuing such Voyage, Wind and Weather permitting.

Forfeiture not to extend to Ships and Goods in certain Cases.

XXVIII. Every Person who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture under this or any other Act relating to the Customs for being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or of the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Ship or Boat to Forfeiture, or who shall be found or discovered to have been on board any of Her Majesty's Ships or Vessels, or on board any Ship or Vessel in Her Majesty's Employment or Service, or on board of any Foreign Post Office Packet, being a national Vessel, employed in carrying the Mails between any Foreign Country and the United Kingdom, such last-mentioned Ships, Vessels, or Packets being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying

Persons on board Vessels within Ports of the United Kingdom or the Channel Islands, with contraband Articles, subject to Penalty of 100*l.* and Detention.

veying or having conveyed in any Manner, any Spirits not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff not being in a whole and complete Package containing Eighty Pounds Weight of such Tobacco or Snuff at least, shall forfeit the Sum of One hundred Pounds; and every such Person shall and may be detained, and taken before any Justice, to be dealt with as herein-after directed.

Notice of Seizure of Goods.

XXIX. The Notice in Writing now required by the Two hundred and twenty-sixth Section of "The Customs Consolidation Act, 1853," on the Seizure of Goods, shall not be required in Cases where the Seizure is made on the Person or in the Presence of the Offender; and where any such Notice is required, the same may be served either in the Manner prescribed by the said Section, or by Delivery at the Place of Abode of the Party to whom the same is addressed.

Where Persons are taken before a Justice for any Offence under any Act relating to the Customs, or likely to abscond, such Justice may order them to be detained a reasonable Time, or admit to Bail.

XXX. When any Person shall have been detained for any Offence against this or any other Act relating to the Customs, and taken before any Justice, such Justice may, if he see reasonable Cause, order such Person to be detained in Gaol or in the Custody of the Police or Constabulary Force a reasonable Time, to obtain the Order of the Commissioners of Customs or Inland Revenue, and to prepare the necessary Informations, Convictions, and Warrants of Commitment, and at the Expiration of such Time to be brought before him, or any other Justice or Justices, who may then finally hear and determine the Matter; or when any Information shall have been preferred before any Justice against any Person for any such Offence, and it shall appear to such Justice, by Depositions on Oath, that such Person is likely to abscond before such Information can be heard, such Justice may, in lieu of issuing a Summons for the Appearance of the Offender, grant his Warrant to apprehend and bring such Offender before him or any other Justice, at a Time and Place to be named in such Warrant, for the Hearing of such Information; but any Person so detained or apprehended may be liberated, on giving, by Recognizance, Security to the Satisfaction of such Justice in the Sum of One hundred Pounds, or in the Amount of the Penalty sought to be recovered, to appear at such Time and Place as shall be appointed by such Justice for hearing the Case.

Penalty and Costs to be stated in Convictions, &c.

XXXI. When any Person is convicted before any Justice and adjudged to pay a pecuniary Penalty for any Offence against this or any Act relating to the Customs, such Justice shall state in the Conviction, and also in the Commitment of such Person, if committed in default of Payment, the Amount of Costs awarded to be paid by such

such Person, as well as the Penalty so adjudged, and shall commit such Person until Payment of such Penalty and Costs.

Execution may issue after Trial out of Term.

XXXII. In any Case where a Verdict is or shall have been obtained at the Suit of the Crown against any Defendant in any of the Superior Courts, in any Cause tried out of Term, Execution thereon may issue on or after the Expiration of Fourteen Days from the Date of such Verdict, in the same Manner as Execution may issue in any Case under the One hundred and twentieth Section of "The Common Law Procedure Act, 1852," unless the Judge who tried the Cause, or some other Judge, or the Court, shall order Execution to issue at any earlier or later Period with or without Terms.

Defendant's Option to remove Case to Superior Court to be exercised before the Hearing commences.

XXXIII. The Option given to a Defendant by Section Two hundred and sixty-four of "The Customs Consolidation Act, 1853," of removing any Proceedings against himself before any Justice to a Superior Court, shall not be exercised after the Commencement of the Trial or Hearing thereof before such Justice.

Count for harbouring, &c. smuggled Goods.

XXXIV. The Words "otherwise dealing with certain prohibited, restricted, or uncustomed Goods" in Count Sixteen of Schedule B. to "The Customs Consolidation Act, 1853," shall be deemed to apply to and include the harbouring or having Possession, as the Case may be, of any such Goods, and it shall not be necessary to prove that the Party charged was concerned in the unshipping thereof.

Evidence of Condemnation of Forfeiture.

XXXV. The Condemnation of Goods by any Justice as forfeited under the Laws relating to the Customs may be proved in any Court of Justice, or before any competent Tribunal, by the Production of such Condemnation purporting to be signed by such Justice, or an examined Copy of the Record of such Condemnation certified by the Clerk to such Justice.

Section 2. of 14 & 15 Vict. c. 99. not to extend to Revenue Cases.

XXXVI. The Second Section of the Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Ninety-nine, shall not be deemed to apply to any Prosecution, Suit, or other Proceeding in respect of any Offence, or for the Recovery of any Penalty or Forfeiture, under any Law now in force or hereafter to be made relating to the Customs or Inland Revenue.

Defendants in Customs Cases to have choice of Attorney and Counsel in Scotland.

XXXVII. Any Writer to the Signet, Solicitor before the Supreme Courts in *Scotland*, or Solicitor at Law duly licensed to practise as an Agent in the Courts of Session and Justiciary in *Scotland*, who shall be retained by any Defendant at the Suit of the Crown for any Offence against the Laws relating to the Customs, shall be competent to

to undertake the Defence of such Defendant, and to instruct Counsel for that Purpose; and any such Defendant who may not have retained any such Agent shall be entitled to be heard by his Counsel on any Trial for such Offence, although such Defendant may have previously appeared to answer such Suit in Person instead of appearing by Agent.

Penalty on Making false Declarations, signing false Documents and untruly answering Questions, and counterfeiting and using false Documents.

XXXVIII. If any Person shall in any Matter relating to the Customs make and subscribe any false Declaration, or make or sign any Declaration, Certificate, or other Instrument required to be verified by Signature only, the same being false in any Particular, or if any Person shall make or sign any Declaration made for the Consideration of the Commissioners of Customs, on any Application presented to them, the same being untrue in any Particular; or if any Person required by this or any other Act relating to the Customs to answer Questions put to him by the Officers of Customs shall not truly answer such Questions; or if any Person shall counterfeit, falsify, or wilfully use when counterfeited or falsified any Document required by this or any Act relating to the Customs or by or under the Directions of the Commissioners of Customs, or any Instrument used in the Transaction of any Business or Matter relating to the Customs, or shall fraudulently alter any Document or Instrument, or counterfeit the Seal, Signature, Initials, or other Mark of or used by the Officers of the Customs for the Verification of any such Document or Instrument, or for the Security of Goods, or any other Purpose in the Conduct of Business relating to the Customs, or under the Control or Management of the Commissioners of Customs or their Officers; every Person so offending shall for every such Offence forfeit the Penalty of One hundred Pounds.

Persons complaining of Prohibition of Books in Copyright Lists may appeal to a Judge in Chambers.

XXXIX. If any Person shall have cause to complain of the Insertion of any Book in the Lists required by the Forty-sixth and One hundred and sixtieth Sections of "The Customs Consolidation Act, 1853," to be published by the Commissioners of Customs, it shall be lawful for any Judge at Chambers, on the Application of the Person so complaining, to issue a Summons calling upon the Person upon whose Notice such Book shall have been so inserted to appear before such Judge, at a Time to be appointed in such Summons, to show Cause why such Book shall not be expunged from such Lists, and such Judge shall at the Time so appointed proceed to hear and determine upon the Matter of such Summons, and make his Order thereon in Writing, and upon Service of such Order, or a certified Copy thereof, upon the Commissioners of Customs or their Secretary for the Time being, the said Commissioners shall expunge such Book from the List, or retain the same therein, according to the Tenor of such Order; and in case such Book shall be expunged from such Lists, the same shall not be deemed

to

to be prohibited under the Table of Prohibitions and Restrictions Inwards contained in the Forty-fourth Section of the said Act: If at the Time appointed in any such Summons the Person so summoned shall not appear before such Judge, then upon Proof by Affidavit that such Summons, or a true Copy thereof, has been personally served upon or left at the last known or usual Place of Abode of the Person so summoned, or in case the Person to whom such Summons was directed and his Place of Abode cannot be found, that due Diligence has been used to ascertain the same, such Judge shall be at liberty to proceed *ex parte* to hear and determine the Matter; but if either Party be dissatisfied with such Order he may apply to the Superior Court of which such Judge is a Member to review such Order, and make such further Order thereon as such Court may see fit.

Declaration of Truth of Notice of Copyright.

XL. From and after the passing of this Act, no Book shall be inserted in any List published by the Commissioners of Customs, under the Forty-sixth and One hundred and sixtieth Sections of "The Customs Consolidation Act, 1853," until the Person giving the Notice thereby required shall have made and subscribed a Declaration before the Collector of the Customs or any Justice of the Peace, at some Port or Place in the United Kingdom, that the Contents of such Notice are true: Provided always, that nothing in this Act contained shall prevent, prejudice, or affect any Proceeding at Law or in Equity which any Party, aggrieved by reason of the Insertion of any Book in any such List, in pursuance of any such Notice, or upon the Removal of any Book from such List pursuant to any such Order as aforesaid, or by reason of any Declaration to be made under the Authority of this Act being false, might or would otherwise have against any Party giving such Notice, or obtaining any such Order, or making such false Declaration as aforesaid.

Nothing to prevent Persons aggrieved from proceeding at Law, &c.

Soldiers, &c. not to be billeted on Coast Guard.

XLI. No Soldiers or Militia shall be billeted on Officers or Coast Guard Men in the Service of the Customs.

Declaratory Explanation of Term "Malt."

XLII. The Term "Malt" in the Table of Prohibitions and Restrictions Inwards relating to Goods absolutely prohibited to be imported, contained in the Forty-fourth Section of "The Customs Consolidation Act, 1853," shall be deemed to include all Malt, whether in Grain or in the Form of concentrated Extract or Essence, but shall not include any of the fermented Liquors made from Malt now specified in the Tariff.

Interpretation of Terms.

XLIII. When any of the Terms mentioned in the Three hundred and fifty-seventh Section of "The Customs Consolidation Act, 1853," are used in this or any other Act relating to the Customs, the Terms so used shall have the same Interpretation and Meaning as are given to them in the said Section.

Acts and Parts of Acts set forth in Schedule repealed.

XLIV. The several Acts and Parts of Acts set forth in the Schedule to this Act annexed are hereby repealed, to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, except as to anything done before the Commencement of this Act, and except so far as relates to any Arrears of Duty or to any Drawback which shall have become due or payable, and except so far as may be necessary for the Purpose of supporting or continuing any Proceeding heretofore taken or to be taken after the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed or any Forfeiture which shall have been incurred before the Commencement of this Act; and all Orders made by Her Majesty in Council, all Bonds taken or Licences granted, and all Things done under the Authority or in pursuance of any of the Acts or Parts of Acts hereby repealed, shall nevertheless be valid and effectual.

Orders, &c. under Acts repealed to be valid.

Sections of this Act set forth in Table incorporated in the Customs Consolidation Act, 1853.

XLV. Each of the several Sections of this Act set forth in Column No. 1. of the Table to this Act shall be deemed and taken to be incorporated in and form Part of "The Customs Consolidation Act, 1853," in the Order and Place assigned to each such Section in and by Column No. 2. of the said Table, and the said several Sections of this Act shall be read and construed with the said Customs Consolidation Act, 1853, and the Provisions of the latter Act shall be deemed to relate to and be applicable to said several Sections of this Act, in the same Manner and to the same Extent as if the said several Sections of this Act had been originally enacted therein, in the Order and Place so assigned to each such Section in and by the said Table; and the several Forms contained in Schedule B. to the said "Customs Consolidation Act, 1853," shall and may be used with reference to any Offences under this Act in the same Manner as they are made applicable to Offences against the said "Customs Consolidation Act, 1853," and, when necessary, the numerical Reference in such Forms to the Sections of this Act creating the Offence charged shall be made accordingly.

Act to be registered in Royal Courts of Guernsey and Jersey.

XLVI. This Act shall be registered in the Royal Courts of the Islands of *Guernsey* and *Jersey* respectively, and the said Royal Courts respectively shall have full Power and Authority and are hereby required to register the same.

Commencement and Short Title of Acts.

XLVII. This Act shall come into operation on the Day of the passing of this Act; and in citing it in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Supplemental Customs Consolidation Act, 1855."

SCHE-

SCHEDULE of Acts to be repealed.

Date of Act.	Title of Act.	Extent of Repeal.
16 & 17 Vict. c. 107.	Customs Consolidation Act, 1853.	Sections 119, 192, 193, 198, 210, 212, 213, 214, 236, 240, 346, 348. So much of the Table of Prohibitions and Restrictions Inwards on Goods prohibited to be imported, except subject to the Restrictions on Importation therein contained, as relates to Tobacco and Snuff under the several Denominations of Tobacco, Cigars, Cigarillos, Cigarrettos, and Snuff, being Part of Section 44. The following Words, viz., "With "the Addition of the Value of "such Goods, if any, as shall "have been previously charge-"able with Duty at Value and "of British Goods," being Part of the Proviso contained in Section 125; and so much of Section 142 as relates to the Delivery of a Duplicate Bill of Lading on the Shipment of Goods, and within Fourteen Days after final Clearance of the Ship, a List of such Goods, with the Quantities and Values thereof, as thereby required.
17 Vict. c. 5. - -	An Act to admit Foreign Ships to the Coasting Trade.	The whole Act.
17 & 18 Vict. c. 122	An Act for the further Alteration and Amendment of the Laws and Duties of Customs.	The whole Act.

TABLE referred to in Section XLV.

Column No. 1. Sections of "The Supplemental Customs Consolidation Act, 1855."	Column No. 2. Order and Place of Incorporation in "The Customs Consolidation Act, 1853."					—
Section 1	After	Section 21 of "The Customs Consolidation Act, 1853"				
2	In lieu of / Part of	Section 44	"	"	"	Repealed by this Act.
3	After	Section 51	"	"	"	
4	After	Section 64	"	"	"	
5	After	Section 65	"	"	"	
6 & 7	After	Section 74	"	"	"	
8	After	Section 104	"	"	"	
9	In lieu of	Section 119	"	"	"	Repealed by this Act.
10	After	Section 125	"	"	"	
11	After	Section 145	"	"	"	
12	After	Section 118	"	"	"	
13, 14, & 15	In lieu of	Section 152	"	"	"	Repealed by 17 Vict. c. 5.
16	After	Section 158	"	"	"	
17	After	Section 159	"	"	"	
18	In lieu of	Section 193	"	"	"	Repealed by 17 & 18 Vict. c. 122. s. 16.
19	In lieu of	Section 192	"	"	"	Repealed by this Act.
20 & 21	After	Section 190	"	"	"	
22	After	Section 277	"	"	"	
23	In lieu of	Section 348	"	"	"	Repealed by this Act.
24	In lieu of	Section 346	"	"	"	Repealed by this Act.
25	In lieu of	Section 212	"	"	"	Repealed by this Act.
26	In lieu of	Section 213	"	"	"	Repealed by this Act.
27	In lieu of	Section 214	"	"	"	Repealed by this Act.
28	In lieu of	Section 236	"	"	"	Repealed by this Act.
29	After	Section 226	"	"	"	
30	In lieu of	Section 240	"	"	"	Repealed by this Act.
31	After	Section 263	"	"	"	
32	After	Section 312	"	"	"	
33	After	Section 264	"	"	"	
34	After	Section 269	"	"	"	
35 & 36	After	Section 308	"	"	"	
37	After	Section 323	"	"	"	
38	In lieu of	Section 198	"	"	"	Repealed by this Act.
39 & 40	After	Section 46	"	"	"	
41	After	Section 7	"	"	"	
42	After	Section 44	"	"	"	
43	After	Section 357	"	"	"	

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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Power to the Treasury to remit and reimpose the Duties levied on unenumerated Articles imported into Isle of Man.

II. The Commissioners of the Treasury may from Time to Time, by any Order or Orders under their Hands, declare that all or any Articles legally importable into the *Isle of Man*, and not enumerated in the said Table, and upon which the Duty of Fifteen Pounds for every Hundred Pounds Value is hereby imposed, shall and may, from and after any Day or Days named in such Order or Orders, be imported from the Places and in the Manner therein mentioned into the *Isle of Man* Duty-free during such Time or Times as shall be therein named, or until such Order or Orders respectively, or any of them, shall be rescinded, and such Articles shall be imported Duty-free accordingly so long as any such Order or Orders, or any of them, shall continue unrescinded; and the said Commissioners may, at any Time, by any Order under their Hands, revoke the whole or any Part of any previous Order or Orders, or any of them, for such Time and in such Manner as they may see fit; and all Orders of the Commissioners of the Treasury made in pursuance of this Enactment shall be duly published in the *London* and *Dublin* Gazettes twice at least within Fourteen Days from the Date of such Orders respectively, and a Copy of every such Order shall be laid before both Houses of Parliament within Six Weeks after the Date of such Order if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders to be published in the Gazette, and laid before Parliament.

Drawbacks on Sugar.

III. The Drawbacks upon Sugar allowed under Table (A.) to this Act shall also be allowed and paid on the like Kinds of Sugar, upon the same being deposited in any approved Warehouse, upon such Terms and Conditions and subject to such Regulations as the Commissioners of Customs may direct, for Delivery therefrom as Ships Stores only, or for the Purpose of sweetening *British* Spirits in Bond.

Commissioners of Customs to provide Standard Samples of White Clayed Sugar and Brown Clayed Sugar.

IV. For facilitating the due Assessment of Duties on White Clayed Sugar or Sugar rendered by any Process equal to White Clayed, and on Yellow Muscovado or Brown Clayed Sugar or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed Sugar, with reference to Colour, Grain, and Saccharine Matter, considered collectively as they affect the general Quality of such Sugars, the Commissioners of Customs shall provide and renew from Time to Time Samples of White Clayed Sugar and of Sugar rendered equal in Quality to White Clayed Sugar, and of Yellow Muscovado or Brown Clayed Sugar, which shall be deemed to be Standard Samples for the Purpose of comparing therewith Sugars entered for Home Consumption; and no Sugar shall, as regards the Payment of Duty, be deemed to be White Clayed Sugar or Sugar rendered

rendered by any Process equal to White Clayed Sugar, unless equal to the Standard Samples of White Clayed Sugar or of Sugar rendered equal in Quality to White Clayed Sugar, or be deemed to be Yellow Muscovado or Brown Clayed Sugar or Sugar rendered by any Process equal to Yellow Muscovado or Brown Clayed Sugar, unless equal to the Standard Sample of Yellow Muscovado or Brown Clayed Sugar: It shall also be lawful for the Commissioners of Customs, if the Commissioners of the Treasury shall so direct, to furnish separate Samples for the Assessment of the Duties on Yellow Muscovado and on Brown Clayed Sugars, and also for the Assessment of the Duties upon Refined Sugar.

As to Metage Dues on Fruit.

V. The Metage Dues now payable upon Fruit imported into the Port of *London* shall not be increased in consequence of the Duties upon such Fruit being levied by the Bushel.

Entries of Arms, &c. to contain the Numbers and Description of the Articles.

VI. On the Entry of Arms and Ammunition of War, whether for Home Use, Exportation, or in Transit, the Number and Quantity of Articles of each Description, as denominated in Table (A.) to this Act, shall be stated in the Import, Export, or Transit Entry, as the Case may be.

Manufactures of Gibraltar, &c. from Foreign Materials deemed Foreign.

VII. All Manufactures of *Gibraltar*, *Malta*, and *Heligoland*, made of Materials of Foreign Produce liable to Duty upon Importation into the United Kingdom, upon which no such Duty has been paid, or upon which Drawback of such Duty has been allowed in the United Kingdom, shall, for the Purposes of Duty, be deemed and taken to be the Produce of and imported from a Foreign Country.

Recital of Acts hereby repealed.

VIII. The following Acts, viz., "The Customs Tariff Act, 1853," the Acts of the Seventeenth and Eighteenth Years of Her present Majesty, Chapters Twenty-eight and Twenty-nine, and the First and Fifth Sections of Chapter One hundred and twenty-two, and the Acts of the Eighteenth Year of Her said Majesty, Chapters Nine and Twenty-one, are hereby repealed, except as to anything done before the Commencement of this Act, and except so far as relates to any Arrears of Duty, or to any Drawback which shall have become due or payable, and except so far as may be necessary for the Purpose of supporting or continuing any Proceeding heretofore taken, or to be taken after the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed or any Forfeiture which shall have been incurred before the Commencement of this Act; and the Duties imposed by the several Acts in force at the Time of the passing of the Act of the Seventeenth and Eighteenth Years of Her present Majesty, Chapter One hundred and twenty-two, are hereby declared not to have

have been affected or repealed by that Act, except as to the Articles enumerated therein; and the Duties collected since the passing of that Act according to the Tables contained in the said several Acts and in that Act are hereby declared to have been legally charged and collected; and all Orders made by Her Majesty in Council, all Bonds taken or Licences granted, and all Things done under the Authority or in pursuance of any of the Acts or Parts of Acts hereby repealed, shall nevertheless be valid and effectual.

Orders, &c. under Acts repealed to be valid.

When Contracts have been entered into, Amount of increased or decreased Duty to be added or deducted.

IX. In the event of any Increase or Decrease by Law in the Duties of Customs chargeable upon any Goods or Commodities after the making of any Contract or Agreement for the Sale or Delivery of such Goods Duty-paid, it shall be lawful for the Seller, in case such Increase shall accrue before the Clearance and Delivery from the Warehouse of such Goods at such increased Duty, and after Payment thereof, to add so much Money to the Contract Price as will be equivalent to such Increase of Duty, and he shall be entitled to be paid and to sue for and recover the same; and it shall be lawful for the Purchaser under any such Contract or Agreement, in case such Decrease shall take effect before the Clearance and Delivery from the Warehouse at such decreased Duty, to deduct so much Money from the Contract Price as will be equivalent to such Decrease of Duty, and he shall not be liable to pay or be sued for or in respect of such Deduction.

Short Title.

X. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Customs Tariff Act, 1855."

TABLE.

TABLE (A.)

Duties applicable to Great Britain and Ireland.

		£	s.	d.
Agates or Cornelians, set	for every 100*l.* Value	10	0	0
not set, cut, or manufactured		Free		
not cut or manufactured		Free.		
Albumen		Free.		
Ale. See Beer.				
Alganobilla Seed		Free.		
Alkali, not being Barilla		Free.		
Alkanet Root		Free.		
Almonds, not Jordan, nor Bitter	the Cwt.	0	10	0
Jordan	the Cwt.	0	10	0
Bitter		Free.		
Paste of	the lb.	0	0	2
Aloes		Free.		
Alum, Roch		Free.		
not Roch		Free.		
Amber, rough		Free.		
Manufactures of, not enumerated (except Beads)		Free.		
Ambergris		Free.		
Amboyna Wood		Free.		
Ammonia, Liquid		Free.		
Sulphate of		Free.		
Ammunition, viz.:—				
Shot, large and small, of Lead	the Cwt.	0	2	0
of Iron	the Cwt.	0	2	6
Rockets and other Combustibles, for Purposes of War, and not otherwise enumerated or described,	for every 100*l.* Value thereof	10	0	0
Anchovies. See Fish.				
Angelica		Free.		
Animals (living), viz.:—				
Asses		Free.		
Goats		Free		
Kids		Free.		
Oxen and Bulls		Free.		
Cows		Free.		
Calves		Free.		
Horses, Mares, Geldings, Colts, Foals		Free.		
Mules		Free.		
Sheep		Free.		
Lambs		Free.		
Swine and Hogs		Free.		
Pigs (Sucking)		Free.		
Annatto, Roll and Flag		Free.		
Antimony, viz.:—				
Ore of		Free.		
Crude		Free.		
Regulus		Free.		
Apples, raw	the Bushel	0	0	3
of and from British Possessions	the Bushel	0	0	2
dried	the Bushel	0	1	0
Aquafortis		Free.		

	£	s.	d.
Argol	Free.		
Aristolochia	Free.		
Arms, viz.:—			
Swords, Cutlasses, Matchetts, Bayonets, Gun Barrels, Gun Locks, Cannon, and Mortars of Iron, not mounted nor accompanied with Carriages - the Cwt.	0	2	6
Cannon and Mortars of Brass, not mounted nor accompanied with Carriages - the Cwt.	0	10	0
Cannon and Mortars, mounted or accompanied with Carriages, and other Fire Arms, viz., Muskets, Rifles, Carbines, Fowling Pieces, or Guns of any other Sort not enumerated, and Pistols - for every 100*l.* Value thereof	10	0	0
Arrowroot - the Cwt.	0	0	4½
Arsenic	Free.		
Art, Works of, of whatever Metal	Free.		
Ashes, viz.:			
Pearl and Pot	Free.		
Soap	Free.		
Weed	Free.		
Wood	Free.		
not enumerated	Free.		
Asphaltum or Bitumen Judaicum	Free.		
Bacon	Free.		
Balsams, viz.:—			
Canada	Free.		
Capivi	Free.		
Peru	Free.		
Riga	Free.		
Tolu	Free.		
Balm of Gilead, and unenumerated Balsam	Free.		
Bandstring Twist	Free.		
Barilla	Free.		
Bark for Tanners or Dyers Use	Free.		
Cascarilla	Free.		
Peruvian	Free.		
of other Sorts	Free.		
Extract of. See Extract.			
Barley, Pearled - the Cwt.	0	0	4½
Barwood	Free.		
Barytes, Sulphate of, ground	Free.		
Basket Rods, peeled	Free.		
unpeeled	Free.		
Baskets - the Cubic Foot	0	0	4
Bast Ropes, Twines and Strands	Free.		
Beads, viz.:—			
Arango - the lb.	0	0	2
and Bugles of Glass	Free.		
Coral - the lb.	0	1	6
Crystal - the lb.	0	0	2
Jet - the lb.	0	0	2
not otherwise enumerated or described - the lb.	0	0	2
Beans, Kidney and French. See Seeds.			
Beef salted	Free.		
fresh, or slightly salted	Free.		
Beef Wood	Free.		

		£	s.	d.
Beer or Ale	the Barrel	1	0	0
Mum	the Barrel	1	0	0
Spruce	the Barrel	1	10	0
of other Sorts	the Barrel	1	0	0
Berries, viz.:—				
Bay		Free.		
Juniper		Free.		
Yellow		Free.		
Myrobalan		Free.		
unenumerated, commonly made use of in Chemical Processes		Free.		
unenumerated, not commonly made use of in Chemical Processes		Free.		
Birds, viz., Singing Birds		Free.		
Biscuit and Bread	the Cwt.	0	0	4½
Bitumen Judaicum. See Asphaltum.				
Blacking		Free.		
Black Wood		Free.		
Bladders		Free.		
Bones (except Whale Fins), whether burnt or not, or as Animal Charcoal		Free.		
Books, viz:—				
being of Editions printed prior to the Year 1801, bound or unbound		Free.		
being of Editions printed in or since the Year 1801, bound or unbound	the Cwt.	1	10	0
admitted under Treaties of International Copyright, or if of and from any British Possession	the Cwt.	0	15	0
Boracic Acid		Free.		
Borax, refined		Free.		
or Tincal, unrefined		Free.		
Bottles of Earth and Stone		Free.		
Boxes, viz.:—				
Brass	the Cwt.	1	10	0
not otherwise charged with Duty, for every 100*l.* Value		10	0	0
Box Wood		Free.		
Bran		Free.		
Brass, Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Powder of		Free.		
Old, fit only to be re-manufactured		Free.		
Wire		Free.		
Brazil Wood		Free.		
Brazilletto Wood		Free.		
Bricks or Clinkers, Dutch		Free.		
other Sorts		Free.		
Brimstone, unrefined		Free.		
refined, in Rolls		Free.		
in Flour		Free.		
Bristles, rough and in the Tufts, and not in any way sorted		Free.		
in any way sorted or arranged in Colours, and not entirely rough and in the Tufts		Free.		
Brocade of Gold and Silver	the lb.	0	5	0
Bronze, all Works of Art		Free.		
Manufactures of, or of Metal bronzed or lacquered	the Cwt.	0	10	0
Powder		Free.		
Brushes, Paint		Free.		

		£	s.	d.
Bullion and Foreign Coin, of Gold or Silver		Free.		
Bullrushes		Free.		
Butter	the Cwt.	0	5	0
of and from a British Possession	the Cwt.	0	2	6
Buttons, and Studs, of Metal		Free.		
other Sorts		Free.		
Cables (not being Iron Cables), tarred or untarred, old and new		Free.		
Cameos, not set		Free.		
Camomile Flowers		Free.		
Camphor, unrefined		Free.		
refined		Free.		
Camwood		Free.		
Candles, viz., Spermaceti	the Cwt.	0	2	4
Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case, or after the 5th April 1858, this Duty shall be reduced to the same Rate as Tallow Candles,	the Cwt.	0	3	6
Tallow	the Cwt.	0	2	4
Wax	the Cwt.	0	2	4
Candlewick		Free.		
Canella Alba		Free.		
Canes, viz., Bamboo		Free.		
Rattans, not ground		Free.		
Reed Canes		Free.		
Walking Canes or Sticks, mounted, painted, or otherwise ornamented	the 100	0	6	0
Umbrella and Parasol Sticks	the 100	0	3	0
or Sticks, unenumerated		Free.		
Cantharides		Free.		
Caoutchouc		Free.		
Manufactures of	the lb	0	0	4
Capers, including the Pickle	the lb.	0	0	1½
Cardamoms		Free.		
Cards, viz., Playing Cards	the Dozen Packs	0	15	0
Carmine		Free.		
Carriages of all Sorts		Free.		
Casks, empty		Free.		
Cassava Powder	the Cwt.	0	0	4½
Cassia, viz., Buds		Free.		
Fistula		Free.		
Lignea	the lb.	0	0	1
Castor		Free.		
Casts of Busts, Statues, or Figures		Free.		
Catlings		Free.		
Caviare		Free.		
Cedar Wood		Free.		
Chalk, viz., unmanufactured		Free.		
prepared or manufactured, and not otherwise enumerated		Free.		
Cheese	the Cwt.	0	2	6
of and from British Possessions	the Cwt.	0	1	6
The Duty on Cheese to be charged on landing Weight.				

	£	s.	d.
Cherries, raw - - - - the Bushel	0	0	2
dried, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia - - - - the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April - - - the lb.	0	0	2
thereafter - - - - the lb.	0	0	1½
Cherry Wood - - - - -	Free.		
Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee, viz.:			
raw or kiln-dried - - - -	Free.		
roasted or ground, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia - - - the lb.	0	0	5
thereafter - - - - the lb.	0	0	4
China Root - - - - -	Free.		
China or Porcelain Ware, plain, painted, gilt, and ornamented the Cwt.	0	10	0
Chip or Willow for platting - - - -	Free.		
Chloroform - - - - - the lb.	0	3	0
Cider - - - - -	Free.		
Cinnabaris nativa - - - -	Free.		
Cinnamon - - - - - the lb.	0	0	2
Citrate of Lime - - - - -	Free.		
Citric Acid - - - - - -	Free.		
Citron, preserved with Salt - - - -	Free.		
Civet - - - - - - -	Free		
Clocks, viz., not exceeding the Value of 5*s.* each - the Dozen	0	4	0
exceeding the Value of 5*s.* and not exceeding the Value of 12*s.* 6*d.* each - - the Dozen	0	8	0
exceeding the Value of 12*s.* 6*d.* and not exceeding the Value of 3*l.* each - - - each	0	2	0
exceeding the Value of 3*l.* and not exceeding the Value of 10*l.* each - - - - each	0	4	0
exceeding the Value of 10*l.* each - each	0	10	0
Cloves - - - - - the lb.	0	0	2
Coals, Culm, or Cinders - - - - -	Free.		
Cobalt - - - - - -	Free.		
Ore of - - - - - -	Free.		
Oxide of - - - - - -	Free.		
Cochineal - - - - -	Free.		
Granilla - - - - -	Free.		
Dust - - - - -	Free.		
Cochinella Wood - - - - -	Free.		
Cocoa - - - - - the lb.	0	0	1
Husks and Shells - - - the Cwt.	0	2	0
Paste or Chocolate - - - the lb.	0	0	2
Coculus Indicus - - - the Cwt.	0	5	0
Coffee, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia - the lb.	0	0	4
thereafter - - - - - the lb.	0	0	3

		£	s.	d.
Coffee—*continued.*				
kiln-dried, roasted, or ground, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia -	the lb.	0	0	5
thereafter - - -	the lb.	0	0	4
A Drawback shall be allowed on all roasted Coffee exported as Ship's Stores or removed to the Isle of Man for Consumption there, equal in Amount to the Import Duty on raw Coffee.				
Coir, Rope, Twine, and Strands - - - -		Free.		
Colocynth - - - - - - -		Free.		
Columbo Root - - - - - - -		Free.		
Comfits, dry, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia -	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April - - - - -	the lb.	0	0	2
thereafter - - - - -	the lb.	0	0	1½
Confectionery, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April - - - -	the lb.	0	0	2
thereafter - - -	the lb.	0	0	1½
Copper, Ore of - - - - -		Free.		
Regulus of - - - - - - -		Free.		
old, fit only to be re-manufactured - - -		Free.		
unwrought, viz., in Bricks or Pigs, Rose Copper, and all cast Copper - - - - -		Free.		
part wrought, viz., Bars, Rods, or Ingots hammered or raised - - - - - -		Free.		
in Plates and Copper Coin - - -		Free.		
Wire - - - - - - -		Free.		
Manufactures of, not otherwise enumerated or described, and Copper Plates engraved - -	the Cwt.	0	10	0
Copperas, Blue - - - - - - -		Free.		
Green - - - - - - -		Free.		
White - - - - - -		Free.		
Coral, viz., Beads. (See Beads.)				
in Fragments - - - -		Free.		
whole, polished - - -		Free.		
unpolished - - - - -		Free.		
Negligees - - - -	the lb.	0	1	0
Cordage - - - - -		Free.		
Cork - - - - - - -		Free.		
Corks, ready made - - - -	the lb.	0	0	6
squared for rounding - - -	the Cwt.	0	8	0
Fishermen's - - - - -		Free.		
Corn, Grain, Meal, and Flour, viz.:—				
Wheat - - - -	the Quarter	0	1	0
Barley - - - -	the Quarter	0	1	0
Oats - - - -	the Quarter	0	1	0
Rye - - - -	the Quarter	0	1	0
Pease - - - -	the Quarter	0	1	0
Beans - - -	the Quarter	0	1	0
Maize or Indian Corn - - -	the Quarter	0	1	0

		£	s.	d.
Corn, &c.—*continued.*				
Buck Wheat	the Quarter	0	1	0
Bear or Bigg	the Quarter	0	1	0
Wheat Meal and Flour	the Cwt.	0	0	4½
Barley Meal	the Cwt.	0	0	4½
Oat Meal and Groats	the Cwt.	0	0	4½
Rye Meal and Flour	the Cwt.	0	0	4½
Pea Meal	the Cwt.	0	0	4½
Bean Meal	the Cwt.	0	0	4½
Maize or Indian Corn Meal	the Cwt.	0	0	4½
Buck Wheat Meal	the Cwt.	0	0	4½
Cowries		Free.		
Cotton Manufactures, viz. :—				
East India Piece Goods, viz. :—				
Calicoes and Muslins, White		Free.		
dyed or coloured		Free.		
Nankeens, not dyed or coloured		Free.		
dyed or coloured		Free.		
Handkerchiefs, dyed or coloured		Free.		
Manufactures, not being Articles wholly or in part made up, not otherwise charged with Duty		Free.		
Wool. See Wool.				
Yarn		Free.		
Fringe	the lb.	0	0	2
Gloves, of Cotton or Thread	the Dozen Pairs	0	0	3
Stockings, of Cotton or Thread	the Dozen Pairs	0	0	6
Socks, or Half Hose of Cotton or Thread	the Dozen Pairs	0	0	3
Articles or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty,	for every 100*l.* Value	5	0	0
Cranberries		Free		
Crayons		Free.		
Cream of Tartar		Free.		
Crystal, viz. :—				
rough		Free.		
cut or manufactured, except Beads		Free.		
Cubebs		Free.		
Cubic Nitre. See Nitre.				
Cucumbers, viz., preserved in Salt		Free.		
Currants	the Cwt. and 5 per Cent. thereon.	0	15	0
Cutch		Free.		
Daguerreotype Plates	the lb.	0	0	3
Dates	the Cwt.	0	10	0
Diamonds		Free.		
Dice	the Pair	1	1	0
Divi Divi		Free.		
Down		Free.		
Drugs, not enumerated		Free.		
Earthenware, not otherwise enumerated or described,	the Cwt.	0	10	0
Ebony		Free.		
Eggs, the Cubic Foot of the Package, internal Measurement, of and from British Possessions		0	0	8
the Cubic Foot of the Package, internal Measurement		0	0	4
Elder Flower Water		Free.		

	£	s.	d.
Embroidery and Needlework, viz.:—			
On Silk, or Silk mixed with other Materials, not being Silk Net - - - for every 100*l.* Value	15	0	0
of and from British Possessions, for every 100*l.* Value	5	0	0
Silk Net, figured with the Needle, being Imitation Lace, and Articles thereof - - - the lb.	0	10	0
Cotton Net, figured with the Needle, being Imitation Lace, and Articles thereof - - the lb.	0	8	0
Curtains, commonly called Swiss, embroidered on Muslin or Net - - - - - the lb.	0	1	0
All other Embroidery not enumerated, for every 100*l.* Value	10	0	0
of and from British Possessions, for every 100*l.* Value	5	0	0
Enamel - - - - - - -	Free.		
Essence of Spruce - - - for every 100*l.* Value	10	0	0
Extract of Cardamoms - - for every 100*l.* Value	20	0	0
Coculus Indicus - - for every 100*l.* Value	20	0	0
Guinea Grains of Paradise - for every 100*l.* Value	20	0	0
Licorice - - - for every 100*l.* Value	20	0	0
Nux Vomica - - for every 100*l.* Value	20	0	0
Opium - - - for every 100*l.* Value	20	0	0
Guinea Pepper - - for every 100*l.* Value	20	0	0
Peruvian or Jesuit's Bark - for every 100*l.* Value	20	0	0
Quassia - - - for every 100*l.* Value	20	0	0
Radix Rhataniæ - - for every 100*l.* Value	20	0	0
Vitriol - - - for every 100*l.* Value	20	0	0
Chesnut Bark or Wood - - - -	Free.		
Quercitron Bark - - - - -	Free.		
Logwood - - - - -	Free.		
Safflower - - - - - - - -	Free.		
Bark, or of other Vegetable Substances to be used for tanning or other manufacturing Purposes - -	Free.		
or Preparation of any Article, not particularly enumerated, nor otherwise charged with Duty, for every 100*l.* Value	20	0	0
or, and in lieu of the above Duty, at the Option of the Importer - - - the lb.	0	5	0
Feathers for Beds, in Beds or otherwise - - -	Free.		
Ostrich, dressed - - - - the lb.	0	3	0
undressed - - - - -	Free.		
Paddy Bird, dressed - - - the lb.	0	3	0
undressed - - - -	Free.		
not otherwise enumerated or described, viz.:—			
dressed - - - - the lb.	0	3	0
undressed - - - -	Free.		
Figs - - - - - - the Cwt.	0	15	0
and 5 per Cent. thereon.			
Fig Cake - - - - - the Cwt.	0	15	0
Fish, viz.:—			
Anchovies - - - - - -	Free.		
Cod - - - - - -	Free.		
Caplin - - - - - -	Free.		
Eels, Shiploads - - - - -	Free.		
in small Quantities - - - -	Free.		
Herrings - - - - - -	Free.		
Lobsters - - - - -	Free.		
Mackarel - - - - - -	Free.		

	£	s.	d.
Fish—*continued.*			
Oysters	Free.		
Salmon	Free.		
Soles	Free.		
Sounds and Tongues	Free.		
Turbots	Free.		
Turtle	Free.		
fresh, not otherwise enumerated	Free.		
cured, not otherwise enumerated	Free.		
Flax, dressed	Free.		
rough or undressed	Free.		
Tow and Codilla of	Free.		
Flock for Paper Stainers	Free.		
Flocks	Free.		
Flower Roots	Free.		
Flowers, Artificial, whether of Silk or of other Materials, per Cubic Foot as packed; no Allowance for vacant Spaces the Cubic Foot	0	12	0
Frames for Pictures, Prints, Drawings, or Mirrors	Free.		
Fruit, viz., raw, not otherwise enumerated the Bushel	0	0	2
Furniture Woods, not particularly enumerated, except Ash, Beech, Birch, Elm, Oak, Wainscot	Free.		
Fustic	Free.		
Gallic Powder	Free.		
Galls	Free.		
Gamboge	Free.		
Garancine	Free.		
Garnets, cut, not set	Free.		
uncut	Free.		
Gauze of Thread	Free		
Gelatine	Free.		
Gentian	Free.		
Ginger the Cwt.	0	5	0
preserved, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April the lb.	0	0	2
thereafter the lb.	0	0	1
Ginseng	Free.		
Glass, viz.:—			
Any kind of Window Glass, White, or stained of One Colour only, (except Plate or Rolled Glass,) and Shades and Cylinders, until the 5th April 1857 inclusive the Cwt.	0	1	6
from and after 5th April 1857	Free.		
Flint Cut Glass, Flint Coloured Glass, and Fancy Ornamental Glass, of whatever Kind the Cwt.	0	10	0
Plate Glass, cast or rolled, of whatever Thickness, whether silvered, polished, or rough, and silvered Glass not otherwise enumerated	Free.		
Painted	Free.		
White Flint Glass Bottles, not cut, engraved, or otherwise ornamented	Free.		
Beads and Bugles. See Beads.			
Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented	Free.		
Bottles of Glass covered with Wicker (not being Cut Glass) or of Green or Common Glass	Free.		

		£	s.	d.
Glass—*continued.*				
Articles of Green or Common Glass		Free.		
Manufactures, not otherwise enumerated or described, and old broken Glass fit only to be re-manufactured		Free.		
Glue		Free.		
Clippings or Waste of any kind fit only for Glue		Free.		
Gold, Leaves of		Free.		
Ore of, and Ore of which the greater Part in Value is Gold		Free.		
Gongs	the Cwt.	1	0	0
Grains, Guinea, and of Paradise	the Cwt.	0	15	0
Grapes	the Bushel	0	0	2
Grease		Free.		
Greaves, for Dogs		Free.		
Tallow		Free.		
Guano		Free.		
Gum, viz.:—				
Animi		Free.		
Copal		Free.		
Arabic		Free.		
Senegal		Free.		
Lac Dye		Free.		
Seed Lac		Free.		
Shellac		Free.		
Sticklac		Free.		
Ammoniacum		Free.		
Asafœtida		Free.		
Euphorbium		Free.		
Guiacum		Free.		
Kino		Free.		
Mastic		Free.		
Tragacanth		Free.		
unenumerated		Free.		
Gunpowder		Free.		
Gun Stocks in the rough, of Wood		Free.		
Gutta Percha		Free.		
Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubing	the Cwt.	0	5	0
Articles moulded	the lb.	0	0	2
Gypsum		Free.		
Hair, viz.:—				
Camels Hair or Wool		Free.		
Cow, Ox, Bull, or Elk Hair		Free.		
Goats Hair or Wool. See Wool.				
Horse Hair		Free.		
Human Hair		Free.		
unenumerated		Free.		
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, not particularly enumerated or otherwise charged with Duty		Free.		
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty	for every 100*l.* Value	5	0	0
Hams, of all Kinds		Free.		
Harp-strings or Lute-strings, silvered		Free.		
Hats or Bonnets, viz.:—				
of Chip	the lb.	0	2	6
of Bast, Cane, or Horsehair	the lb.	0	2	6
of Straw	the lb.	0	2	6
of Felt, Hair, Wool, or Beaver	each	0	1	0

	£	s.	d.
Hats of Silk or Silk Shag, laid upon Felt, Linen, or other Material - - - - - each	0	1	0
Hay - - - - -	Free.		
Heath for Brushes - - - - -	Free.		
Hellebore - - - - - -	Free.		
Hemp, viz. :—			
dressed - - - - -	Free.		
rough or undressed - - - -	Free.		
Tow and Codilla of Hemp - - -	Free.		
Jute - - - - - -	Free.		
other Vegetable Substances of the Nature and Quality of undressed Hemp, and applicable to the same Purposes - - - - - -	Free.		
Hides, not tanned, tawed, curried, or in any way dressed,			
dry - - - - - -	Free.		
wet - - - - - -	Free.		
tawed, curried, or in any way dressed, not being varnished, japanned, or enamelled - -	Free.		
if varnished, japanned, or enamelled -	Free.		
Losh Hides - - - - -	Free.		
Muscovy or Russia Hides, or Pieces thereof, tanned, coloured, shaved, or otherwise dressed - -	Free.		
or Pieces thereof, raw or undressed, unenumerated - - - - -	Free.		
in any way dressed, not otherwise enumerated - - -	Free.		
Tails, Buffalo, Bull, Cow, or Ox - - -	Free.		
tanned, not otherwise dressed - - -	Free.		
Hones - - - - - -	Free.		
Honey - - - - -	Free.		
Hoofs of Cattle - - - - - -	Free.		
Hoops of Wood. See Wood.			
Hops, until the 1st August 1855 - - the Cwt	1	0	0
from and after that Date - - the Cwt.	2	5	0
Horns, Horn Tips, and Pieces of Horn - - -	Free.		
Ice - - - - - -	Free.		
Indigo - - - - -	Free.		
Ink for Printers - - - - -	Free.		
Indian - - - - -	Free.		
Inkle, unwrought - - - -	Free.		
wrought - - - - -	Free.		
Iron, Ore of - - - - - -	Free.		
Pig - - - - - -	Free.		
Bars, unwrought - - - -	Free.		
Wire - - - - -	Free.		
Rough Castings - - - -	Free.		
Bloom - - - - -	Free.		
Chromate of - - - - -	Free.		
Slit or hammered into Rods - - -	Free.		
Cast - - - - - -	Free.		
Hoops - - - - - -	Free.		
Old broken and old Cast Iron - - -	Free.		
Iron and Steel, wrought or manufactured, except Arms and Ammunition, viz. :—			
Machinery, Wrought Castings, Tools, Cutlery, and other Manufactures of Iron or Steel, not enumerated, the Cwt	0	2	6
Fancy ornamental Articles of Iron or Steel the Cwt.	0	15	0
Manufactures of, coated with Brass or Copper by any Galvanic Process - - - the Cwt.	0	3	6
Isinglass - - - - - -	Free.		

		£	s.	d.
Jalap		Free.		
Japanned or Lacquered Ware	the Cwt.	1	0	0
Jet		Free.		
Jewels, Emeralds, and all other precious Stones, set,	for every 100*l.* Value	10	0	0
	unset	Free.		
Juice of Lemons, Limes, or Oranges		Free.		
Kernels. See Nuts.				
Kingwood		Free.		
Lace, and Articles thereof, viz. :—				
Mohair or Worsted	the lb.	0	1	0
Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), not exceeding One Inch in Width	the lb.	1	0	0
exceeding One Inch in Width	the lb.	2	0	0
Silk Pillow Lace (not being Saxon Wire Ground Lace) and Application	the lb.	1	10	0
Silk Saxon Wire Ground Lace, and all Lace known as Maltese	the lb.	0	8	0
Brussels Point and other Lace, made by the Hand, not otherwise charged with Duty	for every 100*l.* Value	10	0	0
Lacquered Ware. See Japanned Ware.				
Lamp Black		Free.		
Lapis Calaminaris		Free.		
Lard		Free.		
Latten		Free.		
Shaven		Free.		
Wire		Free.		
Lavender Flowers		Free.		
Lead, Ore of		Free.		
Black		Free.		
Pig and Sheet		Free.		
Red		Free.		
White		Free.		
Chromate of		Free.		
Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
Leather Manufactures, viz. :—				
Boots, Shoes, and Calashes, viz.				
Women's Boots and Calashes	the Dozen Pairs	0	6	0
If lined or trimmed with Fur or other Trimmings,	the Dozen Pairs	0	7	6
Shoes with Cork or Double Soles, quilted Shoes, and Clogs	the Dozen Pairs	0	5	0
If trimmed or lined with Fur or any other Trimming,	the Dozen Pairs	0	6	0
Of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather	the Dozen Pairs	0	4	6
If trimmed or lined with Fur or any other Trimming	the Dozen Pairs	0	5	0
Girls Boots, Shoes, and Calashes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.				
Men's Boots and Shoes :—				
If the Quarter do not exceed Two and Three Quarter Inches, or the Vamp Four Inches in Height from the Sole Inside	the Dozen Pairs	0	7	0
If either the Quarter or Vamp exceed the above Dimensions, but do not exceed Six Inches in Height from the Sole Inside	the Dozen Pairs	0	10	6

	£	s.	d.
Leather Manufactures—*continued.*			
Boots, Shoes, and Calashes—*continued.*			
Men's Boots and Shoes—*continued.*			
If either the Quarter or Vamp do exceed Six Inches in Height from the Sole Inside the Dozen Pairs	0	14	0
Boy's Boots, not exceeding Seven Inches in Length the Dozen Pairs	0	9	4
Shoes, not exceeding Seven Inches in Length the Dozen Pairs	0	4	8
Boot Fronts, not exceeding Nine Inches in Height the Dozen Pairs	0	1	9
exceeding Nine Inches in Height the Dozen Pairs	0	2	9
Boot Backs - - - the Dozen Pairs	0	1	6
Cut into Shapes - - - - the Cwt.	0	10	0
Gloves of Leather, the following Duties, with 5 per Cent. thereon, viz.:—			
Habit Mitts - - - the Dozen Pairs	0	2	4
Gloves - - - the Dozen Pairs	0	3	6
Men's Gloves - - - the Dozen Pairs	0	3	6
Women's Gloves or Mitts - the Dozen Pairs	0	4	6
Any Articles made of Leather or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described, for every 100*l.* Value	10	0	0
Leaves of Gold. See Gold.			
Leaves of Roses - - - - -	Free.		
Leeches - - - - - - -	Free.		
Lentils. See Seeds.			
Lignum vitæ - - - - -	Free.		
Linen or Linen and Cotton Manufactures, viz.:—			
Cambric Handkerchiefs, hemmed or hem-stitched, not trimmed - - - - the Dozen	0	2	6
Articles, Manufactures of Linen, or of Linen mixed with Cotton or Wool, wholly or in part made up, not particularly enumerated or otherwise charged with Duty - - - for every 100*l.* Value	5	0	0
Cambrics and Lawns commonly called French Lawns, plain - - - - - -	Free.		
bordered Handkerchiefs - - - -	Free.		
Lawns of any Sort, not French - - -	Free.		
Damasks - - - - - -	Free.		
Damask Diaper - - - - -	Free.		
Sails of all Sorts - - - - -	Free.		
Plain Linens and Diaper, whether chequered or striped with dyed Yarn or not - - - -	Free.		
Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated or otherwise charged with Duty, not being Articles wholly or in part made up - - -	Free.		
Liquorice Paste - - - - the Cwt.	1	0	0
of and from British Possessions - the Cwt.	0	10	0
Powder - - - - the Cwt.	1	0	0
of and from British Possessions - the Cwt	0	15	0
Root, until 5th April 1857 inclusive - the Cwt.	0	5	0
from and after 5th April 1857 - - -	Free.		
Juice - - - - the Cwt.	1	0	0
Litharge - - - - - -	Free.		

		£	s.	d.
Live Creatures illustrative of Natural History		Free.		
Logwood		Free.		
Lucifers of Wood, the Cubic Foot of the external Package, measured internally		0	0	4
Vesta, of Wax, in Boxes not exceeding 1,000 Matches	the Doz. Boxes	0	0	6
in Boxes exceeding 1,000 Matches	the 1,000 Matches	0	0	0½
Maccaroni. See Vermicelli.				
Mace	the lb.	0	1	0
Madder		Free.		
Root		Free.		
Magna Græcia Ware		Free.		
Mahogany		Free.		
Mandioca Flour	the Cwt.	0	0	4½
Manganese, Ore of		Free.		
Manna		Free.		
Manna Croup	the Cwt.	0	0	4½
Manures not enumerated		Free.		
Manuscripts		Free.		
Maps or Charts, or Parts thereof, plain or coloured		Free.		
Maple Wood		Free.		
Marmalade, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April	the lb.	0	0	2
thereafter	the lb.	0	0	1½
Mats and Matting		Free.		
Mattresses		Free.		
Mead or Metheglin		Free.		
Meat, salted or fresh, not otherwise described		Free.		
preserved in any other Way than salted		Free.		
Medals of Gold or Silver		Free.		
of any other Sort		Free.		
Medlars	the Bushel	0	0	2
Mercury, prepared		Free.		
Metal, Bell		Free.		
Leaf, not Gold		Free.		
Mill-boards	the lb.	0	0	2½
Minerals and Fossils, unenumerated		Free.		
Models of Cork or Wood		Free.		
Morphia and its Salts	the lb.	0	10	0
Moss, viz.:—				
Lichen Islandicus		Free.		
Rock, for Dyers Use		Free.		
other than Rock or Iceland Moss		Free.		
Mother-o'Pearl Shells		Free.		
Musical Instruments, viz.:—				
Musical Boxes, small, not exceeding Four Inches in Length	the Air	0	0	3
large	the Air	0	0	8
Overtures, or extra Accompaniments	the Air	0	2	6
Pianofortes, horizontal grand	each	3	0	0
upright or square	each	2	0	0
Harmoniums or Seraphines	each	0	12	0

		£	s.	d.
Musical Instruments—*continued.*				
Accordions, commonly called Chinese	the 100 Notes	0	1	0
other Sorts, including Flutinas and Concertinas	the 100 Notes	0	5	0
Brass Instruments, all Sorts	the lb.	0	0	9
Musical Instruments, not otherwise enumerated or described	for every 100*l.* Value	10	0	0
Musk		Free.		
Mustard Flour	the Cwt.	0	1	6
mixed or manufactured, except Flour	the Cwt.	0	5	0
Myrobalans. See Berries.				
Myrrh		Free.		
Naphtha		Free.		
New Zealand Wood		Free.		
Nicaragua Wood		Free.		
Nickel, Ore of		Free.		
metallic, and Oxide of, refined		Free.		
Arseniate of, in Lumps or Powder, being in an unrefined State		Free.		
Nitre, viz., Cubic Nitre		Free.		
Nutmegs, except those commonly called Wild	the lb.	0	1	0
Wild, in the Shell	the lb	0	0	3
not in the Shell	the lb.	0	0	5
or other Spices or Admixtures thereof, ground	the lb.	0	1	0
Nuts, viz.:—				
Chesnuts		Free.		
Cocoa Nuts		Free.		
Pistachio Nuts		Free.		
Small Nuts	the Bushel	0	1	0
Walnuts	the Bushel	0	1	0
Nuts and Kernels of Walnuts, of Peach Stones, and all Nuts and Kernels unenumerated, commonly used for expressing Oil therefrom		Free.		
Nuts and Kernels unenumerated		Free.		
Nux Vomica	the Cwt.	0	2	0
Oakum		Free.		
Ochre		Free.		
Oil of Almonds	the lb.	0	0	1
Animal		Free		
Bays	the lb.	0	0	1
Castor		Free.		
Chemical, Essential, or Perfumed, viz.:				
Bergamot	the lb.	0	1	0
Carraway	the lb.	0	1	0
Cassia	the lb.	0	1	0
Cloves	the lb.	0	1	0
Lavender	the lb.	0	1	0
Lemon	the lb.	0	1	0
Mint and Spearmint	the lb.	0	1	0
Oil or Otto of Roses	the lb.	0	1	0
Peppermint	the lb.	0	1	0
Spike	the lb.	0	1	0
Thyme	the lb.	0	1	0
unenumerated	the lb.	0	1	0
Cocoa Nut		Free.		
Hempseed		Free.		
Lard		Free.		
Linseed		Free		
Olive		Free.		

		£	s.	d.
Oil—*continued.*				
Palm		Free.		
Paran		Free.		
Rapeseed		Free.		
Rock		Free.		
Rosin		Free.		
Seed, unenumerated		Free.		
Train Oil or Blubber		Free.		
Spermaceti, or Head Matter		Free.		
Walnut		Free.		
or Spirit of Turpentine		Free.		
not particularly enumerated or described nor otherwise charged with Duty		Free.		
Oilseed Cake		Free.		
Oilcloth	the Square Yard	0	0	1½
Olibanum		Free.		
Olives		Free.		
Olive Wood		Free.		
Onions	the Bushel	0	0	1
Opera Glasses, single	each	0	1	0
double, and all Marine and Race Glasses, not being Telescopes	each	0	2	6
Opium	the lb.	0	1	0
Orange Flower Water		Free.		
Oranges and Lemons	the Bushel	0	0	8
Peel of, viz.:—				
Orange Peel		Free.		
Lemon Peel		Free.		
Orchal		Free.		
Ore, unenumerated		Free.		
Orpiment		Free.		
Orris Root		Free.		
Orsedew		Free.		
Painters Colours, unenumerated, viz.:—				
unmanufactured		Free.		
manufactured		Free.		
Palmetto Thatch		Free.		
Manufactures of		Free.		
Paper, viz.:—				
brown Paper, made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith	the lb.	0	0	2½
printed, painted, or stained Paper Hangings, or Flock Paper	the lb.	0	0	3
gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper Hangings	the lb.	0	0	2½
waste Paper, or Paper of any other Sort, not particularly enumerated or described, not otherwise charged with Duty	the lb.	0	0	2½
Parchment		Free.		
Partridge Wood		Free.		
Pasteboard	the lb.	0	0	2½
Pearls		Free.		
Pears, raw	the Bushel	0	0	3
dried	the Bushel	0	1	0
Pencils, of Slate		Free.		
not of Slate		Free.		
Pens		Free.		

		£	s.	d.
Pepper of all Sorts	the lb.	0	0	6
	and 5 per Cent. thereon.			
Percussion Caps	the 1,000	0	0	1
Perfumery, not otherwise enumerated	the lb.	0	0	2
Perry		Free.		
Pewter, Manufactures of, not otherwise enumerated, the Cwt.		0	2	0
Phosphorus		Free.		
Pickles, preserved in Vinegar	the Gallon	0	0	1
and Vegetables, preserved in Salt		Free.		
Pictures		Free.		
Pimento	the Cwt.	0	5	0
Pink Root		Free.		
Pipes of Clay. See Tobacco Pipes.				
Pitch		Free.		
Burgundy		Free.		
Plantains		Free.		
Plants, Shrubs, and Trees, alive		Free.		
Plaster of Paris		Free.		
Plate, of Gold	the oz. Troy	1	1	0
of Silver, gilt or ungilt	the oz. Troy	0	1	8
battered		Free.		
Platina, and Ore of		Free.		
Platting, viz. :—				
of Chip, not being of greater Value than Sixpence per Piece of 60 Yards	the lb.	0	0	6
or other Manufactures of Straw, Chip, or other Materials to be used in or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated or charged with Duty	the lb.	0	2	0
Cordonet, single, and Twist of Straw or of other Materials	the lb.	0	0	6
Willow Squares	the Cwt.	0	10	0
Plums, commonly called French Plums, and Prunellos	the Cwt.	0	15	0
dried or preserved (except in Sugar), not otherwise described	the Cwt.	0	15	0
preserved in Sugar, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb	0	0	2½
for the following Twelve Months after such 5th Day of April	the lb.	0	0	2
thereafter	the lb.	0	0	1½
Pollard		Free		
Pomatum	the lb.	0	0	2
Pomegranates		Free.		
Peel of		Free.		
Pork, salted (not Hams)		Free		
fresh		Free.		
Potash, Prussiate of		Free.		
Sulphate of		Free.		
Potatoes		Free.		
Potatoe Flour	the Cwt.	0	0	4½
Pots, viz. :—				
Melting Pots for Goldsmiths		Free.		
of Stone		Free.		
Poultry and Game, alive or dead, including Rabbits		Free.		

		£	s.	d.
Powder, viz.: —				
Hair Powder	the lb.	0	0	2
perfumed	the lb.	0	0	2
not otherwise enumerated or described, that will serve the same Purpose as Starch	the Cwt.	0	0	4½
Prints and Drawings, viz.:—				
plain or coloured	the lb.	0	0	3
admitted under Treaties of International Copyright	the lb.	0	0	1½
or, and at the Option of the Importer,				
single	each	0	0	0½
bound	the Dozen	0	0	1½
Prunes	the Cwt.	0	7	0
Puddings. See Sausages.				
Purple Wood		Free.		
Quassia	the Cwt.	0	1	0
Quicksilver		Free.		
Quills, viz., Goose		Free.		
Swan		Free.		
Quinces	the Bushel	0	0	3
Quinine, Sulphate of	the oz.	0	0	6
Radix Contrayervæ		Free.		
Enulæ Campanæ		Free.		
Eringii		Free.		
Ipecacuanhæ		Free.		
Rhataniæ		Free.		
Senekæ		Free.		
Serpentariæ, or Snake Root		Free.		
Rags, viz.:—				
Rags, old Ropes or Junk, old Fishing Nets, fit only for making Paper or Pasteboard		Free.		
Woollen Rags		Free.		
Pulp of Rags		Free.		
Raisins	the Cwt.	0	10	0
Rape of Grapes		Free.		
Red Wood or Guinea Wood		Free.		
Rhubarb		Free.		
Rice, viz.:				
not rough or in the Husk	the Cwt.	0	0	4½
rough and in the Husk	the Qr.	0	0	9
Dust for feeding Cattle		Free.		
Upon Exportation from the United Kingdom of any Foreign Rice or Paddy cleaned therein, which shall have paid the Duties payable on the Importation thereof, and having been deposited in some Bonded Warehouse within One Calendar Month from the Date of such Payment, shall have there remained secured until the Time of Exportation, the Exporter making Declaration that such Rice was cleaned from rough Rice or Paddy upon which the Duties had been paid, there shall be allowed and paid for every Hundred weight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the Rough Rice or Paddy from which the same shall have been cleaned.				
Rose Water		Free.		
Rose Wood		Free.		
Rosin		Free.		
Oil of. See Oil.				
Saccharum Saturni		Free.		

		£	s.	d.
Safflower		Free.		
Saffron		Free.		
Sago	the Cwt.	0	0	4½
Sal, viz. :—				
Ammoniac		Free.		
Limonum		Free.		
Prunellæ		Free.		
Salep, or Salop		Free.		
Salicine	the oz.	0	0	3
Salt		Free.		
Saltpetre		Free.		
Sanguis Draconis		Free.		
Santa Maria Wood		Free.		
Sapan Wood		Free.		
Sarsaparilla		Free.		
Sassafras		Free.		
Satin Wood		Free.		
Sauces, not otherwise enumerated	the lb.	0	0	1
Saunders, viz. :—				
Red		Free.		
White or Yellow		Free.		
Sausages or Puddings		Free.		
Scaleboards	the Cwt.	0	1	0
Scammony		Free.		
Seeds, viz :—				
Acorns		Free.		
Aniseed		Free.		
Beans, Kidney or French		Free.		
Burnet		Free.		
Canary		Free.		
Caraway	the Cwt.	0	5	0
of and from British Possessions	the Cwt.	0	2	6
Carrot		Free.		
Clover		Free.		
Colchicum		Free.		
Cole		Free.		
Coriander		Free.		
Croton		Free.		
Cummin		Free.		
Dari		Free.		
Fenugreek		Free.		
Flax		Free.		
Forest		Free.		
Garden, unenumerated		Free.		
Grass Seeds of all Sorts		Free.		
Hemp		Free.		
Leek		Free.		
Lentils		Free.		
Lettuce		Free.		
Linseed		Free.		
Lucerne		Free.		
Lupine		Free.		
Maw		Free.		
Millett		Free.		
Mustard		Free.		
Onion		Free.		
Parsley		Free.		
Poppy		Free.		

	£	s.	d.
Seeds—*continued.*			
Quince	Free.		
Rape	Free.		
Sesamum	Free.		
Shrub or Tree	Free.		
Tares	Free		
Trefoil	Free		
Worm	Free.		
All Seeds unenumerated, commonly used for expressing Oil therefrom	Free.		
All other Seeds, not particularly enumerated or described, nor otherwise charged with Duty	Free.		
Semolina — the Cwt.	0	0	4½
Senna	Free.		
Ships, with their Tackle, Apparel, and Furniture (except Sails), broken up or to be broken up, viz.:—			
Foreign — for every 100*l.* Value	5	0	0
British Ships, or Vessels entitled to be registered as such, not having been built in the United Kingdom	Free.		
Shumach	Free.		
Silk, viz.:—			
Knubs or Husks of Silk and Waste Silk	Free.		
Raw Silk	Free.		
Thrown Silk, not dyed, Singles	Free.		
Tram	Free.		
Organzine or Crape	Free.		
Dyed, Single or Tram	Free.		
Organzine or Crape	Free.		
Millinery of Silk, or of which the greater Part of the Material is of Silk, viz.:—			
Turbans or Caps — each	0	3	6
Hats or Bonnets — each	0	7	0
Dresses — each	1	10	0
Corahs, Choppas, Bandannas, Tussore Cloths, Romals, and Taffaties, viz.:—			
in Pieces not exceeding 6¼ Yards in Length, the Piece	0	0	6
exceeding 6¼ and not exceeding 7¼ Yards in Length — the Piece	0	0	8
exceeding 7¼ and not exceeding 12 Yards in Length — the Piece	0	0	10
China Crape Shawls, Scarfs, Handkerchiefs, and Pieces, viz.:—			
plain and Damask — the lb.	0	3	0
embroidered — the lb.	0	5	0
Damask — the running Yard	0	0	8
Pongees, viz.:—			
in Pieces not exceeding 15 Yards in Length, the Piece	0	2	0
exceeding 15 Yards and not exceeding 21 Yards in Length — the Piece	0	3	0
exceeding 21 Yards and not exceeding 31 Yards in Length — the Piece	0	5	0
Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length — the Piece	0	1	6
exceeding 9 Yards and not exceeding 18 Yards in Length — the Piece	0	3	0
Manufactures of Silk, or of Silk and any other Material, not being Articles wholly or in part made up, not			

Silk—*continued.*	£	s.	d.
particularly enumerated or otherwise charged with Duty - - - for every 100*l.* Value	15	0	0
of and from a British Possession, for every 100*l.* Value	5	0	0
Articles, Manufactures of Silk, or of Silk and any other Material, not particularly enumerated or otherwise charged with Duty - - for every 100*l.* Value	15	0	0
of and from a British Possession, for every 100*l.* Value	5	0	0
Manufactures of Silk, or of Silk mixed with Metal or any other Material, the Produce of Europe, viz.:—			
Silk or Satin, plain, striped, figured, or brocaded, viz.:—			
Broad Stuffs - - - the lb.	0	5	0
Articles thereof, not otherwise enumerated the lb.	0	6	0
or, and at the Option of the Officers of the Customs - for every 100*l.* Value	15	0	0
Gauze or Crape, plain, striped, figured, or brocaded, viz.:—			
Broad Stuffs - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
or, and at the Option of the Officers of the Customs - - for every 100*l.* Value	15	0	0
Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric, viz.:—			
Broad Stuffs - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
or, and at the Option of the Officers of the Customs - - for every 100*l.* Value	15	0	0
Velvet, plain or figured, viz.:—			
Broad Stuffs - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
or, and at the Option of the Officers of the Customs - - for every 100*l.* Value	15	0	0
Broad Stuffs, the Foundation of which is wholly composed of Cotton or other Materials than Silk - - - the lb.	0	3	0
Ribbons, plain Silk, of One Colour only - the lb.	0	6	0
Plain Satin, of One Colour only - - the lb.	0	8	0
Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than One Colour - the lb.	0	10	0
Gauze or Crape, plain, striped, figured, or brocaded the lb.	0	14	0
Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric - - the lb.	0	12	0
Velvet or Plush, wholly of Silk, or of Silk mixed with Cotton, not exceeding Nine Inches in Width, viz.:—			
Plain, or embossed by Depression, without Satin or Fancy Edge - - the lb.	0	5	0
Figured, brocaded, striped, or spotted, or with Fancy or Satin Edge, and Silk Ribbons, in any way mixed or ornamented with Velvet or Plush . - - the lb.	0	10	0
Fancy Silk Net, or Tricot - - - the lb.	0	8	0

	£	s.	d.
Silk—*continued.*			
Plain Silk Lace or Net called Tulle - - the lb.	0	8	0
Manufactures of Silk, or of Silk mixed with any other Materials, called Plush, not being Ribbons the lb.	0	3	0
Articles thereof, not otherwise enumerated the lb.	0	3	6
Black Plush, commonly used for making Hats the lb.	0	1	0
Parasols and Umbrellas - - - each	0	1	0
Damask of Silk and Wool, or of Silk and other Materials, for Furniture - - - the lb.	0	0	10
Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or charged with Duty - - for every 100*l.* Value	15	0	0
Silkworm Gut - - - - - -	Free.		
Silver Ore, or Ore of which the greater Part in Value is Silver - - - - - - -	Free.		
Skins, Furs, Pelts, and Tails, viz.:—			
Badger, undressed - - - -	Free.		
Bear „ - - - - -	Free.		
Beaver „ - - - -	Free.		
Cat „ - - - - -	Free.		
Chinchilla „ - - - - -	Free.		
Coney „ - - - -	Free.		
Deer „ - - - - -	Free.		
Indian, half dressed - - -	Free.		
tanned, tawed, or in any way dressed -	Free.		
Dog, in the Hair, not tanned, tawed, or in any way dressed - - - - - -	Free.		
Dog Fish, undressed - - - -	Free.		
Elk „ - - - - -	Free.		
Ermine „ - - - - -	Free.		
dressed - - - - - -	Free.		
Fisher, undressed - - - - -	Free.		
Fitch „ - - - - -	Free.		
Fox „ - - - - - -	Free.		
Tails „ - - - - -	Free.		
Goat, raw or undressed - - - -	Free.		
tanned, tawed, or in any way dressed -	Free.		
Goose, undressed - - - - -	Free.		
Hare „ - - - - -	Free.		
Husse „ - - - - -	Free.		
Kangaroo „ - - - - - -	Free.		
Kid, in the Hair, undressed - - - -	Free.		
dressed - - - - -	Free.		
and dyed or coloured - - -	Free.		
Kolinski, undressed - - - -	Free.		
Lamb, undressed in the Wool - - -	Free.		
tanned or tawed - - - -	Free.		
and dyed or coloured - -	Free.		
dressed in Oil - - - -	Free.		
Leopard, undressed - - - -	Free.		
Lion „ - - - -	Free.		
Lynx „ - - - - - -	Free.		
Marten „ - - - - -	Free.		
Marten Tails „ - - - - - -	Free.		
Minx „ - - - - -	Free.		
dressed - - - - - -	Free.		
Mole, undressed - - - - -	Free.		
Musquash „ - - - - - -	Free.		

		£	s.	d.
Skins—*continued.*				
Nutria, undressed		Free.		
Otter „		Free.		
Ounce „		Free.		
Panther „		Free.		
Pelts „		Free.		
tanned, tawed, or in any way dressed		Free.		
Racoon, undressed		Free.		
Sable „		Free.		
Tails or Tips, undressed		Free.		
Seal, in the Hair, not tanned, tawed, or in any way dressed		Free.		
Sheep, undressed in the Wool		Free.		
tanned or tawed		Free.		
dressed in Oil		Free.		
Squirrel or Calabar, undressed		Free.		
tawed		Free.		
Tails, undressed		Free.		
Swan, undressed		Free.		
Tiger		Free.		
Weasel		Free.		
Wolf		Free.		
tawed		Free.		
Wolverings, undressed		Free.		
Skins and Furs, or Pieces of Skins and Furs, unenumerated, viz.:—				
raw or undressed		Free.		
tanned, tawed, curried, or in any way dressed		Free.		
Articles manufactured of Skins and Furs		Free.		
Smalts		Free.		
Soap, viz.:—				
hard	the Cwt.	0	0	8
soft	the Cwt.	0	0	8
Naples	the Cwt.	0	0	8
scented or fancy Soap	the lb.	0	0	2
Soda, Sulphate of		Free.		
Soy	the Gallon	0	0	6
Spa Ware	the Cubic Foot	0	0	6
Specimens of Minerals or Fossils		Free.		
illustrative of Natural History		Free		
Speckled Wood		Free		
Spectacles		Free.		
Spelter or Zinc, crude in Cakes		Free.		
rolled, but not otherwise manufactured		Free.		
Oxide and White of		Free.		
Rods for Bolts		Free.		
Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
Spermaceti		Free.		
Spirits or Strong Waters, viz.:				
Not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by Sykes's Hydrometer, for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon	the Gallon	0	15	0
Of and from a British Possession in America or the Island of Mauritius, and Rum of and from any British Possession within the Limits of the East India				

	£	s.	d.
Spirits, &c.—*continued.*			
Company's Charter, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, if imported—			
into England or Scotland - the Gallon	0	8	2
into Ireland - - - the Gallon	0	6	4
Rum Shrub, Liqueurs, and Cordials of and from a British Possession in America, or the Island of Mauritius, or a British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, if imported—			
into England or Scotland - the Gallon	0	8	2
into Ireland - - - the Gallon	0	6	4
Other Spirits, being sweetened or mixed, so that the Degree of Strength cannot be ascertained as aforesaid, and perfumed Spirits to be used as Perfumery only the Gallon	1	0	0
Spirits or Strong Waters imported into the United Kingdom mixed with any Ingredient, and although thereby coming under some other Denomination, except Varnish, shall nevertheless be deemed to be Spirits or Strong Waters, and be subject to Duty as such.			
Sponge - - - - - - -	Free.		
Squills, dried - - - - -	Free.		
not dried - - - - -	Free.		
Starch - - - - - the Cwt.	0	0	4½
Gum of, torrified or calcined - - the Cwt.	0	0	4½
Stavesacre - - - - - -	Free.		
Stays or Corsets of Linen or of Cotton, or of Linen and Cotton mixed - - - the Dozen Pairs	0	2	0
Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be sooner repealed, in which Case the Duty shall cease - - - - - the Cwt.	0	3	6
after the 5th April 1858 - - - -	Free.		
Steel, unwrought - - - - -	Free.		
manufactured or wrought. (See Iron.)			
Scrap - - - - -	Free.		
Stones, viz.:—			
Stone, in Lumps, not in any Manner hewn - -	Free.		
Slate, in rough Blocks or Slabs - - -	Free.		
hewn - - - - -	Free.		
Marble, in rough Blocks or Slabs - - -	Free.		
sawn into Slabs or otherwise manufactured	Free.		
Limestone - - - - -	Free.		
Asphalt Rock - - - -	Free.		
Flint - - - - - -	Free.		
Felspar and Stones for Potter's Use - -	Free.		
Pebble - - - - -	Free.		
for Lithography - - - - -	Free.		
in Blocks, shaped or rough scalped - -	Free.		
Mill Stones, rough - - -	Free.		
shaped or hewn - - -	Free.		
Burr Stones, rough - - - -	Free.		
shaped or hewn - - - -	Free.		
Quern Stones, rough - - - -	Free.		
shaped or hewn - - - -	Free.		
Dog Stones, rough - - - -	Free.		
shaped or hewn - - -	Free.		
Straw or Grass for platting - - - -	Free.		

—	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.			For the following Twelve Months after such 5th Day of April			Thereafter.		
	£	s.	d.	£	s.	d.	£	s.	d.
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated, the lb.	0	0	2½	0	0	2	0	0	1½
Sugar, viz.:									
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto - - the Cwt.	1	0	0	0	16	8	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, or equal in Quality to Refined - the Cwt.	0	17	6	0	14	7	0	11	8
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed the Cwt.	0	15	0	0	12	9	0	10	6
Brown Muscovado, or any other Sugar not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar the Cwt.	0	13	9	0	11	8	0	9	6
Molasses - - the Cwt.	0	5	4	0	4	6	0	3	9

The following Drawbacks shall be allowed on Exportation to Foreign Parts, or on Removal to the Isle of Man, for Consumption there, of the several Descriptions of Refined Sugar herein-after mentioned; that is to say,

—	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.			For the following Twelve Months after such 5th Day of April.			Thereafter.		
	£	s.	d.	£	s.	d.	£	s.	d.
Upon Refined Sugar in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, or Sugar refined by the Centrifugal Machine, not in any way inferior to the Export Standard, No. 3., approved of by the Lords of the Treasury - - - for every Cwt.	0	18	9	0	15	8	0	12	6

Sugar—*continued.*

	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.	For the following Twelve Months after such 5th Day of April.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters, for every Cwt.	0 18 9	0 15 8	0 12 6
Upon Refined Sugar, unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample, No. 1, approved by the Lords of the Treasury, and which shall not contain more than Five per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove - for every Cwt.	0 17 10	0 14 10	0 11 10
Upon Bastard or Refined Sugar, unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample, No. 2, approved by the Lords of the Treasury, for every Cwt.	0 16 6	0 13 9	0 11 0
Upon Bastard or Refined Sugar, being inferior in Quality to the said Export Standard Sample, No. 2, for every Cwt.	0 13 9	0 11 8	0 9 6

Sulphur Impressions - - - - -		Free.
Sweet Wood - - - - -		Free.
Talc - - - - - - -		Free.
Tallow - - - -	the Cwt.	0 1 6
of and from British Possessions - -	the Cwt.	0 0 1
Vegetable - - - - -		Free.
Tamarinds - - - - - -		Free.
Tapioca - - - - -	the Cwt.	0 0 4½
Tar - - - - - - -		Free.
Barbadoes - - - - - -		Free.
Tares. See Seeds.		
Tarras - - - - - - -		Free.
Tartaric Acid - - - - - -		Free.
Tea,—until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0 1 9

		£	s.	d.
Tea—*continued*				
for the following Twelve Months after such 5th Day of April	the lb.	0	1	3
thereafter	the lb.	0	1	0
without any Allowance for Draft.				
Teasles		Free.		
Teeth, viz., Elephants		Free.		
Sea Cow, Sea Horse, or Sea Morse		Free.		
Telescopes		Free.		
Terra, viz., Japonica		Free.		
Sienna		Free.		
Verde		Free.		
Umbra		Free.		
Thread, not otherwise enumerated or described		Free.		
Tiles		Free.		
Tin, Ore, and Regulus of		Free.		
in Blocks, Ingots, Bars, or Slabs		Free.		
Foil	the Cwt.	0	10	0
Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Tincal, unrefined. See Borax.				
Tobacco, the following Duties, with 5 per Cent. thereon, viz.:—				
unmanufactured, stemmed, or stripped	the lb.	0	3	0
unstemmed	the lb.	0	3	0
manufactured, or Segars	the lb.	0	9	0
Snuff	the lb.	0	6	0
Stalks and Flour of		prohibited.		
Manufactured in Great Britain or Ireland, made into Cut, Shag, Roll, or Carrot Tobacco, or Cigars, such Cigars, when exported as Merchandise, being packed in Cases containing not less than Eighty Pounds net Weight, a Drawback shall be allowed on Exportation or Shipment as Stores	the lb.	0	2	7½
	with 5 per Cent. thereon.			
Tobacco Pipes of Clay		Free.		
Tongues		Free.		
Tornsal		Free.		
Tortoise or Turtle Shell, unmanufactured		Free.		
Toys, viz.:—				
Marbles	the Cwt.	0	1	0
All other Toys	the Cubic Foot	0	0	4
Truffles		Free.		
Tulip Wood		Free.		
Turmeric		Free.		
Turnery, not otherwise described	the Cubic Foot	0	0	4
Turpentine		Free.		
Of Venice, Scio, or Cyprus		Free.		
Oil, or Spirit of. See Oil.				
Twine		Free.		
Ultra Marine		Free.		
Valonia		Free.		
Vanelloes		Free.		
Varnish, containing any Quantity of Alcohol or Spirit, the Gallon		0	12	0
not otherwise described		Free.		
Vases, viz., ancient, not of Stone or Marble		Free.		
Vegetables, all, not otherwise enumerated or described		Free.		
preserved in Salt		Free.		
Vellum		Free.		
Veneers	the Cwt.	0	1	0

		£	s.	d.
Verdigris		Free.		
Verjuice		Free.		
Vermicelli and Maccaroni	the Cwt.	0	1	0
Vermillion		Free.		
Vinegar	the Gallon	0	0	4½
Wafers		Free.		
Walnut Wood		Free.		
Washing Balls	the lb.	0	0	2
Watches of Gold, Silver, or any other Metal, exceeding the Value of 10*l.* each	each	1	0	0
Other Watches, viz.:—				
Gold, open Faces	each	0	5	0
Hunters	each	0	7	6
Repeaters	each	0	15	0
Silver, or any other Metal not Gold:—				
Open Faces	each	0	2	6
Hunters	each	0	3	6
Repeaters	each	0	8	0
Water, Cologne, the Flask (Thirty of such Flasks containing not more than One Gallon)	each	0	0	8
When not in Flasks (as perfumed Spirit), the Gallon		1	0	0
Mineral		Free.		
Wax, viz.:—Bleached		Free.		
Unbleached		Free.		
Myrtle		Free.		
Sealing		Free.		
Vegetable		Free.		
Weld		Free.		
Whale Fins		Free.		
Whipcord		Free.		
Wine, of and from Foreign Countries, the following Duties and 5 per Cent. thereon, viz.:—				
Red	the Gallon	0	5	6
White	the Gallon	0	5	6
Lees of such Wine	the Gallon	0	5	6
The Growth and Produce of any British Possession, and imported direct from thence, the following Duties and 5 per Cent. thereon, viz.:—				
Red	the Gallon	0	2	9
White	the Gallon	0	2	9
Lees of such Wine	the Gallon	0	2	9
The full Duties on Wine may be drawn back upon Exportation or Shipment as Stores, but no Drawback allowed on Lees of Wine.				
Wire, viz.:—Gilt or plated		Free.		
Silver		Free.		
Copper or Brass. See Copper and Brass respectively.				
Woad		Free.		
Wood and Timber, the following Duties, with 5 per Cent. thereon on all Wood and Timber the Produce of British Possessions, viz.:—				
Timber or Wood, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood sawn, split, or otherwise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty, the Load of 50 Cubic Feet		0	7	6

Wood and Timber—*continued.*	£	s.	d.
Of and from British Possessions, the Load of 50 Cubic Feet	0	1	0
Deals, Battens, Boards, or other Timber or Wood sawn or split, and not otherwise charged with Duty, the Load of 50 Cubic Feet	0	10	0
Of and from British Possessions, the Load of 50 Cubic Feet	0	2	0

Or, in lieu of ascertaining the Cubical Contents in Pile, the Importer may have the Option, at the Time of passing the First Entry, in respect of Planks, Deals, Deal Ends, Battens, and Batten Ends, not the Produce of the British Possessions, of entering the same by Tale, upon a Computation of their Cubic Content calculated according to the under-mentioned Scale, specifying in such Entry the Number and Dimensions of the several Pieces included therein; and the Duties imposed thereon by this Act shall be ascertained, computed, and charged upon the Planks, Deals, Deal Ends, Battens, and Batten Ends included in such Entry on the Cubical Contents thereof computed in conformity with the said Scale.

	Planks.	Deals.	Battens.		
	3 × 11 Inch and not above 3¼ × 11½ Inch.	3 × 9 Inch and not above 3¼ × 9½ Inch.	3 × 7 Inch and not above 3¼ × 7¼ Inch.	2½ × 7 Inch and not above 2⅝ × 7¼ Inch.	2½ × 6½ Inch and not above 2⅝ × 6⅝ Inch.
	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.
Not above 4 Feet in Length, the 120 - - -	115	95	73	61	57
Above 4 Feet and not above 5 Feet in Length, the 120 -	144	118	91	77	71
Above 5 Feet and not above 6 Feet in Length, the 120 -	173	142	110	92	86
Above 6 Feet and not above 7 Feet in Length, the 120 -	202	165	128	107	100
Above 7 Feet and not above 8 Feet in Length, the 120 -	231	189	146	123	114
Above 8 Feet and not above 9 Feet in Length, the 120 -	260	213	165	138	128
Above 9 Feet and not above 10 Feet in Length, the 120 -	288	236	183	153	143
Above 10 Feet and not above 11 Feet in Length, the 120 -	317	260	201	169	157
Above 11 Feet and not above 12 Feet in Length, the 120 -	346	284	220	184	171
Above 12 Feet and not above 13 Feet in Length, the 120 -	375	307	238	200	185
Above 13 Feet and not above 14 Feet in Length, the 120 -	404	331	256	215	200
Above 14 Feet and not above 15 Feet in Length, the 120 -	433	354	274	230	214
Above 15 Feet and not above 16 Feet in Length, the 120 -	462	378	293	246	228
Above 16 Feet and not above 17 Feet in Length, the 120 -	490	402	311	261	242
Above 17 Feet and not above 18 Feet in Length, the 120 -	519	425	329	276	257
Above 18 Feet and not above 19 Feet in Length, the 120 -	548	449	348	292	271
Above 19 Feet and not above 20 Feet in Length, the 120 -	577	473	366	307	285
Above 20 Feet and not above 21 Feet in Length, the 120 -	606	496	384	322	300

Wood and Timber—*continued.*	£	s.	d.
Staves, exceeding 72 Inches in Length, 7 Inches in Breadth, or 3¼ Inches in Thickness, the Load of 50 Cubic Feet - - - - -	0	9	0
of and from British Possessions, the Load of 50 Cubic Feet - - - - -	0	2	0
Staves, not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor 3¼ in Thickness -	Free.		
Birch and Fir, hewn, not exceeding 3 Feet in Length nor exceeding 8 Inches Square, imported for the sole Purpose of making Herring Barrels for the Use of the Fisheries - - - - -	Free.		
Firewood - - the Fathom of 216 Cubic Feet	0	6	0
Of and from British Possessions, the Fathom of 216 Cubic Feet	Free.		
Handspikes, not exceeding 7 Feet in Length the 120	0	6	0
Of and from British Possessions - the 120	0	0	6
Exceeding 7 Feet in Length - - the 120	0	12	0
Of and from British Possessions - the 120	0	1	0
Hoops - - - - -	Free.		
Knees, under 5 Inches Square - - the 120	0	3	0
Of and from British Possessions - the 120	0	0	3
5 and under 8 Inches Square - - the 120	0	12	0
Of and from British Possessions - the 120	0	1	0
Lathwood - - the Fathom of 216 Cubic Feet	0	12	0
Of and from British Possessions the Fathom of 216 Cubic Feet	0	1	0
Oars - - - - the 120	2	5	0
Of and from British Possessions - the 120	0	3	9
Spars or Poles, under 22 Feet in Length and under 4 Inches in Diameter - - - the 120	0	6	0
Of and from British Possessions - the 120	0	0	6
22 Feet in Length and upwards, and under 4 Inches in Diameter - - - the 120	0	12	0
Of and from British Possessions - the 120	0	1	0
Of all Lengths, 4 and under 6 Inches in Diameter, the 120	1	4	0
Of and from British Possessions - the 120	0	2	0
Spokes for Wheels, not exceeding 2 Feet in Length, the 1,000	1	4	0
Of and from British Possessions - the 1,000	0	1	0
Exceeding 2 Feet in Length - - the 1,000	2	8	0
Of and from British Possessions - the 1,000	0	2	0
Teak - - - - - -	Free.		
Waste Wood, viz., Billet Wood, or Brush Wood used for the Purpose of Stowage - - -	Free.		
For Shipbuilding, viz.:			
Stringy Bark, Red and Blue Gum, Green Hart, Mora and Locust Woods, and Woods formerly admitted at the same Duty as Teak - - -	Free.		
Treenails of Stringy Bark, Red and Blue Gum, and Locust Woods, and all Treenails of and from British Possessions - - - - -	Free.		
Shovel Hilts - - - - -	Free.		
Planed or otherwise dressed or prepared for Use, and not particularly enumerated or otherwise charged with Duty - - - per Cubic Foot	0	0	2
And further - - for every 100*l.* Value	10	0	0
Of and from British Possessions, for every 100*l.* Value	5	0	0

	£	s.	d.
Wool, viz., Alpaca and the Llama Tribe	Free.		
Beaver	Free.		
cut and combed	Free.		
Coney Wool	Free.		
Cotton Wool and Waste of Cotton Wool	Free.		
Goat's Wool or Hair	Free.		
Hare's Wool	Free.		
Sheep or Lamb's Wool	Free.		
Woollens, viz.:—Manufactures of Wool (not being Goat's Wool), or of Wool mixed with Cotton, not particularly enumerated, and not otherwise charged with Duty	Free.		
Articles or Manufactures of Wool (not being Goat's Wool), or of Wool mixed with Cotton, viz.:—			
Carpets and Rugs - the Square Yard	0	0	6
Shawls, Scarfs, and Handkerchiefs, plain the lb.	0	0	4
printed - the lb.	0	0	8
Gloves - the Dozen Pairs	0	0	3
wholly or in part made up, not otherwise charged with Duty - for every 100*l.* Value	5	0	0
Yarn, Cable Yarn	Free.		
Camel or Mohair	Free.		
Raw Linen	Free.		
Silk and Worsted, spun together and not dyed	Free.		
Woollen or Worsted, viz.:—			
Commonly called Berlin Wool or Zephyr Yarn, and Woollen and Worsted Yarn of Two or more Threads:—			
Scoured, bleached, or coloured - the lb.	0	0	6
Not scoured, bleached, or coloured the lb.	0	0	3
Raw, for weaving, not dyed, or only partially dyed	Free.		
Yeast, dried	Free.		
Zaffre	Free.		
Zebra Wood	Free.		

Goods, being either in part or wholly manufactured, and not being enumerated or described nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - for every 100*l.* Value	10	0	0
Goods, not being either in part or wholly manufactured, not enumerated or described nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland	Free.		

TABLE (B.)

DUTIES APPLICABLE TO THE ISLE OF MAN.

Coffee, the Import Duties in Great Britain or Ireland not having been there paid thereon - the lb.	0	0	2
Corn, viz., Wheat, Barley, Bear or Bigg, Oats, Rye, Peas, Beans, Buckwheat, Maize, or Indian Corn - the Quarter	0	1	0
Wheat Meal and Flour, Barley Meal, Oat Meal, Rye Meal and Flour, Pea Meal, Bean Meal, Buckwheat Meal, and Maize or Indian Corn Meal - the Cwt.	0	0	4½

	£	s.	d.
Hemp - - - - - - -	Free.		
Hops, from Great Britain or Ireland - - -	Free.		
Iron - - - - - - -	Free.		
Spirits, viz.:—			
Rum and other Spirits of the British Possessions not being sweetened or mixed Spirits, or Liqueurs, Cordials, or perfumed Spirits - the Gallon	0	3	8
Brandy, Geneva, and all Foreign Spirits, not being Liqueurs, Cordials, or perfumed Spirits - the Gallon	0	6	0
British or Irish Spirits exported from a Duty-free Warehouse under Bond in the United Kingdom the Gallon	0	3	0
Such Spirits not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon.			
Rum Shrub, of the British Possessions - the Gallon	0	3	8
Liqueurs, Cordials, mixed, sweetened, and perfumed Spirits - - - - the Gallon	0	10	0
of the British Possessions - - the Gallon	0	5	0
Eau de Cologne, - per Flask (30 not containing more than 1 Gallon)	0	0	4
or the Gallon	0	10	0
Sugar, viz.:—			
Muscovado - - - - the Cwt.	0	1	0
Sugar Candy, White or Brown, Refined Sugar, or Sugar rendered by any Process equal to Refined, Foreign or British - - - - the Cwt.	0	3	0
Tea - - - - - the lb.	0	0	6
Tobacco, viz.:—			
Unmanufactured - - - the lb.	0	1	6
Manufactured - - - - the lb.	0	4	9
Cigars - - - - the lb.	0	4	9
Wine - - - the Tun of 252 Gallons	12	0	0
Wood, all Sorts - - - - - -	Free.		
Goods, Wares, and Merchandise brought from Great Britain or Ireland, and entitled to any Bounty or Drawback of Excise on Exportation from thence, and not herein-before enumerated or charged with Duty - -	Free.		
Goods, Wares, and Merchandise, the Growth, Produce, or Manufacture of and brought from Great Britain or Ireland, and not herein-before charged with Duty -	Free.		
Goods, Wares, and Merchandise, not the Growth, Produce, or Manufacture of Great Britain or Ireland, but brought from thence, and having there been entered for Consumption, and the Import Duties having been there paid thereon - - - - -	Free.		
Goods, Wares, and Merchandise imported or brought from any Place from whence such Goods may be lawfully imported into the Isle of Man, and not herein-before charged with Duty, or declared to be free of Duty, for every 100*l.* of the Value thereof - -	15	0	0

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***

Short Title.

III. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1855."

Extent of Act.

IV. This Act shall not apply to *Ireland.*

SCHE-

SCHEDULE.

An Act for repairing the Road from Chatham to Canterbury in the County of Kent. 52 G. 3. c. lxxxi.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Neat Enstone and Chipping Norton Turnpike Road, through Bicester, to Weston-on-the-Green in the County of Oxford, and for making a new Branch of Road to communicate therewith. 53 G. 3. c. cxxxiii.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the Warwick Road near Solihull to the Guide Post in Kenilworth, and from Stonebridge to meet the aforesaid Road at Balsall Common in the County of Warwick, so far as respects the said Road from Stonebridge to Balsall Common, and from thence to the said Town of Kenilworth. 54 G. 3. c. xv.

An Act for continuing the Term and altering and enlarging the Powers of an Act of His present Majesty, for widening and maintaining the Road leading from the East Side of the Market Place in New Sleaford to and through the Town of Anwick in the County of Lincoln, and other Roads therein mentioned, in the said County; and for building a Bridge over the Witham at or near to Tattershall Ferry. 54 G. 3. c. lv.

An Act for more effectually repairing the Road leading from Royston in the County of Hertford to Wandesford Bridge, and from the Town of Huntingdon to Somersham in the County of Huntingdon, so far as respects the Middle Division and separate District of the said Roads. 55 G. 3 c. xxxv.

An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for amending the Road from the Bottom of Galley Hill to the Cross in Clanfield in the County of Oxford. 55 G. 3. c. xxxviii.

An Act for repairing and improving the Road from the Lyme Turnpike Road in the Parish of Gittisham to Sidmouth in the County of Devon. 56 G. 3. c. xxxii.

An Act for continuing and amending Four Acts passed in the Reigns of Their late Majesties King George the First and King George the Second, and of His present Majesty, for repairing the Roads from Luton to Westwood Gate in the County of Bedford, and from Luton to Saint Albans in the County of Hertford. 56 G. 3. c. lxxii.

An Act for enlarging the Term and Powers of several Acts passed for repairing and widening the Roads from the East End of Brough-under-Stainmoor in the County of Westmorland, by the End of Appleby Bridge, to Eamont Bridge in the said County. 57 G. 3. c. xviii

An Act for making and maintaining a Turnpike Road from the Town of Crowland in the County of Lincoln to the Town of Eye in the County of Northampton. 57 G. 3. c. liv.

An Act for more effectually making, straightening, repairing, and improving the Road from near the Town of Lewes to Polegate in the Parish of Hailsham, 59 G. 3. c. x.

and

and from thence to Eastbourne, and from Polegate to Hailsham Common, in the County of Sussex.

59 G. 3. c. xciii. An Act to continue the Term and enlarge the Powers of Two Acts of His present Majesty's Reign, for repairing the Road from Rochdale Lane End in the Village of Heywood to a Place called the Lands End in Prestwich in the County Palatine of Lancaster.

1 G. 4. c. ii. An Act to continue the Term and alter and enlarge the Powers of several Acts passed for repairing the Road from Knaresborough to Green Hammerton in the County of York.

1 G. 4. c. xiv. An Act for continuing the Term and altering and enlarging the Powers of an Act of His late Majesty's Reign, for amending the Road leading out of the Highway from Wigan to Golborn and Warrington into the Road from Wigan to Ashton in Ashton in Mackerfield in the County Palatine of Lancaster.

1 G. 4. c. xvii. An Act for enlarging the Term and Powers of an Act passed in the Thirty-seventh Year of His late Majesty, for repairing the Road from Hulmes Chapel in the County Palatine of Chester to the South Bridge in Chelford in the said County.

1 G. 4. c. xxviii. An Act for making and maintaining a Turnpike Road from or nearly from the Town of Stockport in the County Palatine of Chester to or near unto the Town of Warrington in the County Palatine of Lancaster, and a Branch of Road to communicate therewith.

3 G. 4. c. lxiii. An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned.

3 G. 4. c. lxvii. An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guildeford to the Directing Post near the Town of Farnham in the County of Surrey.

3 G. 4. c. lxxxix. An Act to continue the Term and alter and enlarge the Powers of an Act of His late Majesty King George the Third, for more effectually amending, widening, improving, and keeping in repair several Roads leading from the Hundred House in the County of Worcester, and also several other Roads therein mentioned.

4 G. 4. c. xxix. An Act for amending the Road from the Devizes Turnpike Road, at or near Somerham Brook, through Melksham, to the Horse and Jockey in the Parish of Box in the County of Wilts, and certain other Roads leading out of the said Road, all in the said County.

4 G. 4. c. xxxi. An Act for repairing and improving the Road from Otley to Skipton in the County of York.

4 G. 4. c. lix. An Act for more effectually amending and keeping in repair the Roads from the Town of Uttoxeter to the Town of Newcastle-under-Lyme in the County of Stafford, so far as relates to the Uttoxeter District of the said Roads, and for making certain new Pieces of Road to communicate therewith, all in the said County of Stafford.

4 G. 4. c. lxiii. An Act for repairing and widening the Road from Rugby in the County of Warwick to the Turnpike Road from Lutterworth to Market Harborough in the Counties of Leicester and Northampton.

An

An Act for more effectually amending, repairing, and keeping in repair the Road from the Toll Gate in the Parish of Kettering, through Wellingborough, in the County of Northampton, and through Olney over Sherrington Bridge to Newport Pagnell in the County of Buckingham. 4 G. 4. c. lxvii.

An Act for more effectually repairing the Road from the South End of Brown's Lane in the Parish of Great Staughton in the County of Huntingdon to the Bedford Turnpike Road in the Parish of Lavendon in the County of Buckingham. 4 G. 4. c. lxxxv.

An Act for more effectually amending, improving, and keeping in repair the Road leading from Penrith to Cockermouth, and several other Roads therein mentioned, all in the County of Cumberland. 5 G. 4. c. iv.

An Act for repairing, improving, and maintaining several Roads leading to and from Cerne Abbas in the County of Dorset. 5 G. 4. c. xxx.

An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from Halifax to Sheffield in the West Riding of the County of York, so far as relates to the First District of the Roads mentioned in the said Acts. 5 G. 4. c. ciii.

An Act for more effectually repairing the Road from Bramcote Odd House in the County of Nottingham to the Cross Post upon Smalley Common in the County of Derby, and from Ilkeston to Heanor in the said County of Derby, and from Trowell in the said County of Nottingham to the Town of Nottingham. 6 G. 4. c. xv

An Act for more effectually repairing the Road from Grantham in the County of Lincoln to Nottingham Trent Bridge in the County of Nottingham. 6 G. 4. c. xxiv.

An Act for amending, maintaining, and improving the Roads from Bridgnorth to Cleobury North, and also through Ditton Priors to the Brown Clee Hill, and from Cleobury Mortimer to several Places therein mentioned, and other Roads branching therefrom, in the Counties of Salop and Worcester. 6 G. 4. c. xlix.

An Act for more effectually repairing, widening, altering, and improving the Road from Welford Bridge in the County of Northampton to Milstone Lane in the Town of Leicester. 6 G. 4. c. lxxxii.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton and Alresford Turnpike Road near Ropley, in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for amending and maintaining the Turnpike Road from Bawtry through the Town of Tinsley to the Road from Rotherham to Sheffield in the West Riding of the County of York. 6 G. 4. c. xc.

An Act for more effectually repairing the Road from Greenhill Moor to Hernstone Lane Head Road, near Stony Middleton, and other Roads therein mentioned, in the County of Derby, and in the West Riding of the County of York; and for making an Extension and Branch of Road therefrom. 6 G. 4. c. ci.

An Act for amending, repairing, and maintaining the Road from Worksop in the County of Nottingham to the North-east End of Attercliffe in the County of York. 6 G. 4. c. cxlvi.

An Act for more effectually improving the Roads from Barnsley Common to Grange Moor and White Cross, and for making a Diversion of the said Roads from or near to Redbrook in the Township of Barugh to Barnsley, all in the West Riding of the County of York. 6 G. 4. c. cli.

Turnpike Acts Continuance.

7 G. 4. c. xiv. An Act for improving the Turnpike Road from Knaresbrough to the Junction of the Road from Ripon to Pateley Bridge in the West Riding of the County of York.

7 G. 4. c. xl. An Act for making and maintaining a Turnpike Road from the Great North Road at Barnby Moor in the County of Nottingham to the Turnpike Road leading from Bawtry to Tinsley in the County of York, and from the said Bawtry and Tinsley Turnpike Road, at the North-east End of Blackhill Lane, to the Town of Rotherham in the said County of York.

7 G. 4. c. lxxx. An Act for making and maintaining a Turnpike Road from a Place called Coxbridge, near Farnham, in the County of Surrey, to Ramshill, near Petersfield, in the County of Southampton.

7 G. 4. c. lxxxiii. An Act for making into a Turnpike Road a Road leading from the Cross Gate in the Parish of Swineshead to the Southern Extremity of the Parish of Fosdyke in the County of Lincoln, and repairing and maintaining the same.

7 & 8 G. 4. c. vi. An Act for making and maintaining a Turnpike Road from Godley Lane Head, near Halifax, to Northowram Green, in the West Riding of the County of York.

7 & 8 G. 4. c. xxvii. An Act for more effectually repairing and otherwise improving the Road from the East End of Chapel Bar in Nottingham to the New China Works near Derby, and from the Guide Post in the Parish of Lenton to Sawley Ferry, all in the Counties of Nottingham and Derby.

7 & 8 G. 4. c. lviii. An Act for amending, repairing, and maintaining the Turnpike Road from Rotherham to Swinton in the West Riding of the County of York.

7 & 8 G. 4. c. lix. An Act for repairing the Road from Blackburn in the County Palatine of Lancaster to Addingham and Cocking End in the West Riding of the County of York; and for making and maintaining a new Road from Old Accrington to the Burnley and Rochdale Turnpike Road in Habergham Eaves in the said County of Lancaster, and a Branch therefrom.

7 & 8 G. 4. c. lxxii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act relating to the Road from Barnsdale through Pontefract to Thwaite Gate near Leeds, and also of an Act relating to the Road from Leeds to Wakefield in the West Riding of the County of York.

9 G. 4. c. lxxiv. An Act to alter, amend, and enlarge the Powers and Provisions of several Acts relating to the Road from Chester to Northop in the County of Flint.

9 G. 4. c. ci. An Act to alter, amend, and enlarge the Powers and Provisions of an Act for making a Turnpike Road from Wells next the Sea to Fakenham in the County of Norfolk, and other Roads connected therewith.

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VICTORIÆ REGINÆ.

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CAP. XCIX.

An Act to enable Her Majesty to carry into effect a Convention made between Her Majesty, His Majesty the Emperor of the *French*, and His Imperial Majesty the Sultan.

[14th *August* 1855.]

WHEREAS His Imperial Majesty the Sultan has addressed Himself to Her Majesty and to His Majesty the Emperor of the *French* to obtain Facilities for raising a Loan in order to enable Him to prosecute with Vigour the War against *Russia* in which He is at present engaged in conjunction with their said Majesties His Allies: And whereas a Convention has been signed between Her Majesty, His Majesty the Emperor of the *French*, and His Imperial Majesty the Sultan, in which it was agreed as follows:

" ARTICLE I.

" Her Majesty the Queen of the United Kingdom of *Great* " *Britain* and *Ireland* undertakes to recommend to Her Parlia- " ment to enable Her to guarantee, jointly with His Majesty " the Emperor of the *French*, and severally, and His Majesty the " Emperor of the *French* engages, subject to the Ratification of " the Legislative Body of *France*, to guarantee, conjointly with " Her *Britannic* Majesty, the Interest of a Loan of Five Mil- " lions of Pounds Sterling to be raised by His Imperial Majesty " the Sultan.

" ARTICLE II.

" The Interest payable on the said Loan of Five Millions " Sterling shall be at the Rate of Four *per Cent. per Annum.*

" There shall moreover be paid by the *Sublime Porte* the " further Rate of One *per Cent. per Annum* on the whole " Capital of Five Millions Sterling, by way of Sinking Fund.

" ARTICLE III.

" The Interest and Sinking Fund of the said Loan shall form " a Charge on the whole Revenues of the *Ottoman* Empire, and " specially on the annual Amount of the Tribute of *Egypt* " which remains over and above the Part thereof appropriated " to the First Loan, and moreover on the Customs of *Smyrna* " and *Syria.*

" His Imperial Majesty the Sultan engages that He will cause " to be remitted to the Bank of *England*, on or before the Twenty- " fifth of *June* and Twenty-fifth of *December* in each Year, the " full Amount of One Half Year's Interest and Sinking Fund on " the whole Amount of the said Loan to be raised under the " conjoint Guarantee of Her *Britannic* Majesty and of His " Majesty the Emperor of the *French*, or on so much thereof " as may be raised, until the whole Capital borrowed shall be " repaid.

" ARTICLE IV.

" Their Majesties the Queen of the United Kingdom of *Great* " *Britain* and *Ireland* and the Emperor of the *French*, being " desirous to save the *Sublime Porte* the Expenses of Remittance, " consent to undertake to transmit to the *Ottoman* Government " the Proceeds of the above-mentioned Loan of Five Millions " Sterling to be raised under the conjoint Guarantee of Their " Majesties. With this view it is agreed that the Contractors " for the said Loan shall pay the Proceeds thereof into the " Bank of *England* for the Account of the *Turkish* Govern- " ment, to be transmitted to the *Sublime Porte* by the Agency " of the Governments of *England* and of *France.*"

And whereas, in pursuance of Her Majesty's gracious Recommendation in this Behalf, it is expedient that Her Majesty should be enabled to carry into effect the said Convention: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty empowered to guarantee

I. It shall be lawful for Her Majesty and She is hereby authorized to guarantee, jointly with His Majesty the Emperor of the *French*, and

and severally, the Interest on the Loan to be raised by His Imperial Majesty the Sultan, not exceeding Interest at the Rate of Four Pounds *per Centum per Annum* on a Sum of Five Millions of Pounds Sterling, upon the Terms and Conditions set forth in the said Convention, and for that Purpose the Commissioners of Her Majesty's Treasury are hereby authorized to cause to be issued from Time to Time out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof, such Sums of Money as may at any Time be required to be paid to fulfil the Guarantee of Her Majesty in respect of such Interest as and when the same Interest may from Time to Time become payable, conformably to the Tenor of Her Majesty's Engagement as specified in the said Convention, together with the attending Charges of Management thereon; provided always, that such Charge for Management shall in no Case exceed the Rate of Three hundred Pounds *per* Million of Capital on which such Interest shall be so payable.

Interest to be charged on Consolidated Fund.

II. The Commissioners of Her Majesty's Treasury shall cause such Sums as shall be from Time to Time paid in or towards the Repayment of any Money issued under this Act in respect of the said Guarantee of Interest to be carried to and form Part of the said Consolidated Fund.

Sums repaid as Interest to be carried to the Consolidated Fund.

III. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament in the Month of *February* in every Year if Parliament be then sitting, and if Parliament be not sitting, then within Fourteen Days of the next Meeting of Parliament, an Account up to the Thirty-first *December* then next preceding of the total Sums (if any) which shall from Time to Time be issued and applied by virtue of this Act for paying and satisfying any Interest so agreed to be guaranteed by Her Majesty, and any Charge for Management of the said Loan, and also of the total Sums, if any, which may have been repaid in respect of any Advances for Payment of such Interest under the Act.

Accounts to be laid before Parliament.

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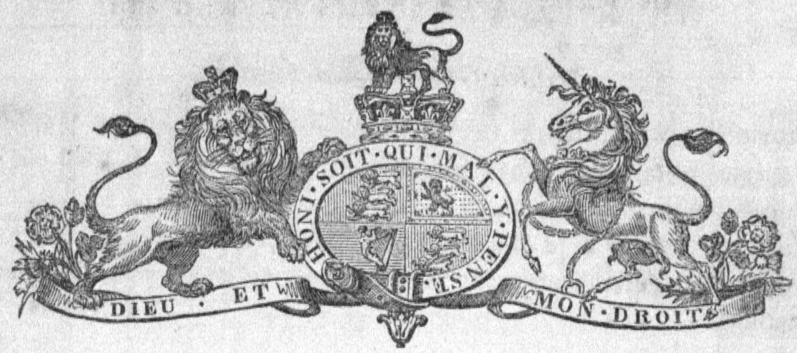

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Provided always, that as to Appointments to the Rank of Major and Captain respectively any Son of any Person who shall be in the Possession or who was at the Time of his Death in the Possession of such an Estate in Lands or Heritages of such yearly Value as would be a Qualification for such respective Rank shall be deemed qualified.

The Income of Personal Estate in possession of the Officer to be deemed equivalent to the yearly Value of Land.

II. Provided also, That for the Purposes of the Qualification aforesaid a clear yearly Income arising from any Personal Estate within the United Kingdom of *Great Britain* and *Ireland*, of or to which Personal Estate or the clear yearly Income thereof any Person appointed an Officer of the Militia is possessed or entitled, at Law or in Equity, for his own Use and Benefit, in possession, for his own Life, or for the Life of another, or for some greater Estate or Interest, shall be deemed an Equivalent to an Estate in Land or Heritages of a yearly Value of the same Amount with such yearly Income, and such yearly Income from Personal Estate shall be admitted in whole or in part of any such Qualification accordingly; and no other Property Qualification than herein expressed shall be required in the Case of any Person appointed an Officer of the Militia.

Persons holding certain Military Ranks may be appointed to certain Ranks in the Militia without Property Qualifications.

III. Provided also, That any Person, being a Commissioned Officer in any of Her Majesty's other Forces or in the Forces of the *East India* Company, who has served Five Years in such Forces, may, without any Property Qualification, be appointed a Captain of the Militia; and any Person holding or having held the Rank of Captain or any higher Rank in Her Majesty's other Forces or in the Forces of the *East India* Company may, without any Property Qualification, be appointed a Captain or Major of the Militia; and any Person holding or having held the Rank of Major or any higher Rank in any of the said Forces may, without any such Qualification, be appointed a Lieutenant Colonel or Colonel of the Militia; and any Person who shall have been qualified to receive and shall have received a Commission of Major or Lieutenant Colonel in the Militia shall be qualified to receive and hold a Commission of higher Rank in the Militia.

Existing Enactments to extend to Qualifications under this Act.

IV. The Enactments concerning the Delivery of Descriptions of Property Qualifications, and other Provisions and Penalties having reference to the Qualifications now required by Law, shall be applicable with reference to the Qualifications required by this Act.

Exceptions for the Militia of Lon-

V. Such of the Provisions of this Act as regulate the Amount and Nature of the Property Qualifications of Officers of the Militia shall

shall not extend to the Militia of the City of *London* or the Militia of the City of *Edinburgh* and its Liberties. don and Edinburgh.

VI. Except as herein-before excepted, the Provisions of this Act shall extend and apply to the Militia raised in the several Parts of the United Kingdom, and to the Corps of Miners of *Cornwall* and *Devon*. Extent of the Act.

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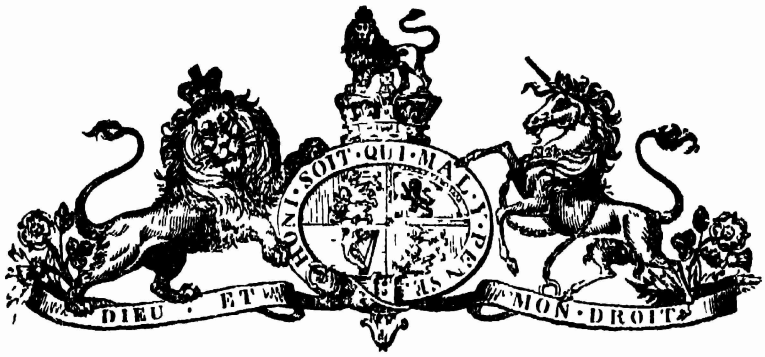

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to the Thirty-first of *August* no Boat should have on board any Dredge or other Implement whatsoever for catching Oysters: And whereas an Act was passed in the Session holden in the Sixth and Seventh Years of Her Majesty (Chapter Seventy-nine), to carry into effect the said Convention, and it was thereby enacted that the said Articles (which were set forth in the Schedule to the same Act) should be binding upon all Persons, and should have the Force of Law: And whereas it is expedient that more effectual Provision should be made for enforcing the Regulations established pursuant to the said Convention as aforesaid: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

6 & 7 Vict. c. 79.

Oysters and Dredges found on board Fishing Vessels from 1st May to 31st August may be seized.

I. It shall be lawful for any Officer or Petty Officer belonging to Her Majesty's Navy or Revenue Service, or such Officers and Men of the Coast-guard Stations as may be thereunto authorized by the Commissioners of Her Majesty's Customs, or such Persons as may be appointed, under the Provisions of the said Act, by the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, when they go on board any *British* Vessel employed in fishing, to examine whether the Regulations of the said Act have been complied with, to seize, and throw overboard or destroy any Oysters found on board such Vessel, at any Time from the First Day of *May* to the Thirty-first Day of *August* in any Year, as well as to seize and dispose of in manner provided by the "Customs Consolidation Act, 1853," all Dredges and other Implements for catching Oysters found on board such Vessel; and it shall also be lawful for such Officers, Petty Officers, and Men, and such Persons as aforesaid respectively, to seize and dispose of in like Manner all Dredges and other Implements for catching Oysters found sunk in or floating upon the Seas at any such Time as aforesaid.

Oysters landed between 1st May and 31st August may be seized.

II. No Oysters taken in the Seas between the United Kingdom and *France* shall be imported into or landed in any Part of the United Kingdom at any Time between the First Day of *May* and the Thirty-first Day of *August* in any Year, and any Oysters imported in or landed between such Days from any Vessel employed in Fishing in the said Seas shall be deemed to be Oysters taken and imported contrary to the Provisions of the said Articles and of this Act, unless the contrary be proved; and it shall be lawful for any Officer of the Customs, or any Person who may be appointed under the Provisions of the said Act by the Lords of the said Committee of Council, to seize and destroy, or otherwise dispose of, as the said Commissioners of the Customs or the said Lords of the said Committee may direct, any Oysters

Oysters imported into or landed in any Part of the United Kingdom contrary to the Provisions of this Act.

Penalties on Persons in charge of British Vessels for offending.

III. The Master or Person in charge of any *British* Vessel on board which any such Oysters or any such Dredge or other Implement for catching Oysters are found, at any such Time as aforesaid, or in or from which any such Oysters are landed at any such Time as aforesaid, contrary to the Provisions of this Act, shall be deemed guilty of an Offence against the said Articles, and shall on Conviction be liable to a Penalty of not less than Eight Shillings or more than Three Pounds, or to be imprisoned, with or without Hard Labour, for any Time not less than Two Days and not longer than Ten Days, and if convicted more than once then upon any Second or subsequent Conviction to a Penalty of not more than Six Pounds, or to be imprisoned, with or without Hard Labour, for any Time not longer than Twenty Days.

British Consuls may take Depositions on Oath concerning Offences against the Fishery Regulations.

IV. It shall be lawful for any *British* Consul exercising his Functions in any Port or Place in *France* where any Person, being a Subject of Her Majesty, is brought under the Provisions of the said Articles charged with any Offence against the said Articles, or against any Rule or Byelaw made under the said Act, to take any Statement on Oath (which Oath such Consul is hereby authorized to administer) of any Person who may be produced before the Consul for that Purpose, concerning the Facts or Circumstances of the Case, and to put the same into Writing; and every such Statement as aforesaid shall be taken and put into Writing in the Presence of the Person charged, and shall be read over to him, and, where not made in *English*, shall be interpreted to him; and the Person charged (by himself or by any legal Adviser acting on his Behalf) shall be entitled to put such Questions as he may think fit to the Witness making the Statement, and shall be told that he is so entitled by the Consul; and such Questions, with the Answers thereto, shall be put into Writing, and such Answers shall be read, and where necessary interpreted, to the Person charged as aforesaid; and all such Depositions shall be read over to and signed respectively by the Witnesses who shall have been so examined, and shall be signed also by the Consul, who shall certify that the same were taken on Oath in the Presence of and read over to the Person charged, and, where not taken in *English*, interpreted to him.

Depositions admissible in Evidence.

V. Every such Deposition shall be admissible in Evidence in any Proceeding against the Person charged as aforesaid with any Offence against the said Articles, or against any Rule or Byelaw made in pursuance of the said Act, unless it be shown that the Witness making such Deposition is within the United Kingdom; and it shall not be

necessary

necessary in any Case to prove the Signature or official Character of the Consul appearing to have signed any such Deposition, or the Signature of the Witnesses signing the same; and in any such Proceeding such Certificate as aforesaid shall, unless the contrary be proved, be sufficient Evidence of the Matters thereby certified.

Penalties and Proceeds of Sales, &c. to be paid into Exchequer.

VI. All Penalties, Fines, and Forfeitures, and the Proceeds of any Sale of Dredges or other Implements under this Act, or under the said Act of the Sixth and Seventh Years of Her Majesty, shall be paid into the Receipt of Her Majesty's Exchequer, in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

As to The Term "British Consul."

VII. The Term "*British* Consul" in this Act shall include any Consul General, Consul, Vice Consul, or other Consular Agent.

Recited Act and this Act to be read together.

VIII. The said Act of the Sixth and Seventh of Her Majesty and this Act shall be read and construed together as One Act.

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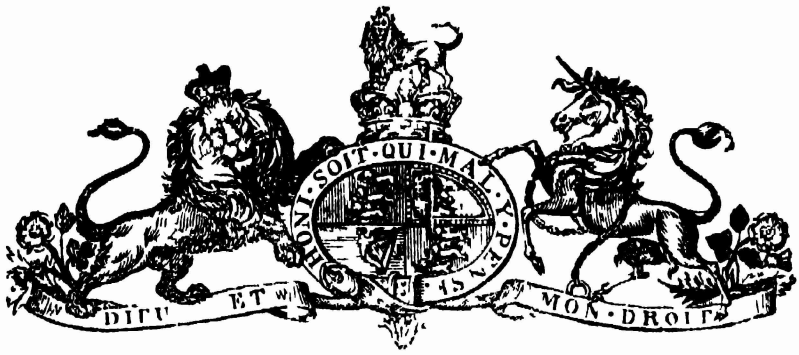

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CII.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts. [14th *August* 1855.]

WHEREAS, in pursuance of the Act of the Fifteenth Year of Her Majesty, "to facilitate Arrangements for the "Relief of Turnpike Trusts, and to make certain Pro "visions respecting Exemptions from Tolls," certain Provisional Orders have been made by the Right Honourable Viscount *Palmerston*, then One of Her Majesty's Principal Secretaries of State, and by the Right Honourable Sir *George Grey*, now One of such Secretaries, for reducing the Rate of Interest, and for extinguishing in certain Cases the Arrears of Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of certain Turnpike Roads, and such Orders have been published in the *London Gazette*, and in Newspapers circulating in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the Acts under which the Tolls or Revenues on which such Debts are charged or secured are levied or raised, together with the Amount to which the Rate of Interest on 14 & 15 Vict. c. 38.

such Debts is to be reduced, and the Day up to which the Interest and Arrears of Interest on such Debts are to be extinguished by such Orders, are mentioned in the Schedule to this Act: And whereas it is expedient that the said Provisional Orders should be confirmed and made absolute: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders confirmed.

I. That the said Provisional Orders are hereby confirmed and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament.

SCHE-

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1854.		£ s. d.		
26 Aug.	5 W. 4. c. 26., "An Act for more effectually repairing the Road from the Exeter Turnpike Road to Biddaford, and certain Roads leading from Bridgetown Pomeroy, and Totnes, and other Roads communicating therewith; and for repairing Totnes Bridge, and erecting Bridges over the Stover Canal, the Rivers Teign and Lemon, and the Mill Leat, all in the County of Devon" - -	2,700 0 0 680 0 0 25,300 0 0	No Reduction. 4*l.* per Cent.	No Arrears extinguished.
26 Oct.	7 G. 4. c. 18., "An Act for amending and maintaining the Road leading from the Turnpike Road on Farrard's Common, in the Parish of Bradford, through Holt and Melksham to Homan's Stile in the Parish of Lacock in the County of Wilts, and the Road leading therefrom to the Bath Turnpike Road upon Kingsdown Hill in the same County" - - - - - -	2,754 18 0	2*l.* per Cent.	31st Dec. 1853.
6 Nov.	57 G. 3. c. 12., "An Act for making and maintaining a Turnpike Road from and out of the Turnpike Road at the Bottom of Coalbrook Dale, in the Parish of Madeley, into the Turnpike Road leading from Shiffnal to Shrewsbury, at or near a Place called Watling Street, in the Parish of Wellington, all in the County of Salop" - -	4,300 0 0	4*l.* per Cent.	31st Dec. 1853.
6 Nov.	54 G. 3. c. 14., "An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Canterbury Lane, within the Liberty of the Town of Folkestone, to a Place in the Parish of Folkestone, called Mudshole, and other Roads therein mentioned, in the County of Kent"	4,475 0 0	2*l.* per Cent.	31st Dec. 1854.
16 Dec.	3 G. 4. c. 61., "An Act for amending and improving the Roads leading from Tiltup's Inn in the Parish of Horsley, to or near Dudbridge in the Parish of Rodborough, and from the Bridge at Nailsworth to The Cross Post on Minchinhampton Common, and other Roads thereto adjoining; and for making a new Piece of Road from the said Bridge to The Cross in the Parish of Avening, all in the County of Gloucester." (So far as the same relates to the Nailsworth and Avening Branch Road.) - - -	4,648 8 10	1*l.* per Cent.	31st Dec. 1853.
16 Dec.	5 G. 4. c. 44., "An Act for making and maintaining a Turnpike Road from Colne in the County of Lancaster, to communicate with the Road leading from Clitheroe in the same County, to Skipton in the County of York"	3,350 0 0	2*l.* per Cent.	31st Dec. 1853.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1854.		£ s. d.		
16 Dec.	6 G. 4. c. 144., "An Act for repealing Two Acts "for repairing the Roads from Little Sheffield in the County of York to Sparrow Pit "Gate in the County of Derby; and also an "Act for making a Road from Banner Cross "in the West Riding of the County of York, "to Fox House in the County of Derby; and "for consolidating the Trusts of certain Roads "mentioned in the said Acts; and for amending and making certain other Roads to communicate therewith; and for other Purposes "relating thereto" - - -	23,183 0 0	4*l.* per Cent.	31st Dec. 1854.
21 Dec.	7 G. 4. c. 82., "An Act for more effectually "repairing and improving the Road from "West Houghton to near Halliwell Field, in "the Township of Heath Charnock, in the "County of Lancaster" - - -	4,900 0 0	2*l.* per Cent.	31st Dec. 1854.
21 Dec.	5 G. 4. c. 82., "An Act for making and maintaining a Turnpike Road from Roundhay "Bridge to Collingham in the County of "York" - - - -	2,500 0 0 8,020 0 0	3*l.* per Cent. One Penny per Cent.	No Arrears extinguished. 1st July 1854.
1855. 17 Jan.	7 G. 4. c. 9., "An Act for making and maintaining a Turnpike Road from Cannock in "the County of Stafford to Penkridge in the "same County" - - -	1,400 0 0	1*l.* per Cent.	31st Dec. 1853.
28 Feb.	11 G. 4. c. 6., "An Act for more effectually repairing and improving the Road from Horsham to the Road leading to Guildford and "Aldford Cross-Ways, with Two Branches "therefrom, and for making and maintaining "a new Branch of Road to communicate therewith, all in the Counties of Sussex and "Surrey." (So far as the same relates to the Old Roads.) - - - -	13,887 12 0	1*l.* per Cent.	31st Dec. 1854.
3 March	11 G. 4. c. 32., "An Act for repairing, amending, and maintaining the Road from Congleton in the County of Chester to a Branch "of the Leek Turnpike Road at Thatchmarsh "Bottom in the Parish of Hartington in the "County of Derby, and from the Lowe to "the Havannah Mills in the said County of "Chester" - - - -	5,550 0 0	2*l.* 10*s.* per Cent.	30th June 1854 (except as to Interest previously ordered to be paid).
7 March	3 W. 4. c. 53., "An Act for repairing and maintaining the Road from Stone Street Hatch, "at Ockley in the County of Surrey to Warnham in the County of Sussex" - -	3,380 0 0	2*l.* 10*s.* per Cent.	31st Dec. 1853.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1855.		£ s. d.		
16 Mar.	3 W. 4. c. 81., "An Act for more effectually repairing the Road from Storrington to Ball's Hut in Walberton in the County of Sussex"	950 0 0 4,550 0 0	2*l.* 10*s.* per Cent. One Penny per Cent. until the Preference Debt of 950*l.* is paid, and afterwards 10*s.* per Cent.	1st Jan. 1854.
24 Mar.	3 G. 4. c. 63., "An Act to enlarge the Term and Powers of several Acts for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned" - - - - -	3,754 17 0	2*l.* per Cent.	31st Dec. 1854.
28 April	3 W. 4. c. 97., "An Act for more effectually repairing and improving the Road from Butterton Moor End to the Turnpike Road leading from Buxton to Ashborne, and other Roads therein mentioned, in the Counties of Stafford and Derby, and for making several Diversions or new Lines of Road to communicate therewith" - - -	3,687 14 9	3*l.* 10*s.* per Cent.	31st Dec. 1854.
24 May	3 G. 4. c. 67., "An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guildeford to the directing Post near the Town of Farnham in the County of Surrey" -	2,215 0 0	2*l.* per Cent.	1st Jan. 1855.
25 May	7 & 8 Vict. c. 72., "An Act for repairing, maintaining, and improving the Road from Flint Lane to Holmfirth, and thence to the Huddersfield and Woodhead Turnpike Road, and for making and maintaining a new Line of Road from the said Road at a Place called Bents to or near Dunford Bridge, all in the West Riding of the County of York." (So far as the same relates to the Holmfirth District of Road.) - - - - -	1,500 0 0 3,944 18 0	2*l.* per Cent. One Penny per Cent.	31st Dec. 1854.
8 June	6 W. 4. c. 48., "An Act for more effectually repairing the Road from the Totnes Road at Lady Down in the Parish of Ugborough to within Four hundred Yards of the Bridge over the Lary, and for repairing the Road communicating therewith from Hollowcombe Cross to the Town of Modbury and Dark Lane, all in the County of Devon" -	1,650 0 0 22,493 0 0 2,125 0 0	No Reduction 3*l.* per Cent.	No Arrears extinguished. 31st Dec. 1854.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1855.		£ s. d.		
13 June	6 G. 4. c. 84., "An Act for making and maintaining a Turnpike Road from Trebarwith Sands on the Sea Shore, to Condolden Bridge, on the Road leading from Bossiney to Camelford, all in the County of Cornwall" - - - - - -	2,478 19 0	2*l.* per Cent.	31st Dec. 1854.

LONDON: Printed by George Edward Eyre and William Spottiswoode
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CIII.

An Act to amend an Act of the last Session of Parliament relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in *Ireland*; and also to repeal so much of an Act of the Third and Fourth Years of His late Majesty as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in *Ireland* to enter into a Bond with Sureties.

[14th *August* 1855.]

WHEREAS an Act was passed in the last Session of Parliament, Chapter Eighty-nine, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in *Ireland*, and it is expedient to amend the said Act as herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 89.

I. So much of the Second and Fourth Sections of the said Act as directs that any Goods seized under the Provisions of the said Sections respectively shall be delivered to some Revenue Officer shall be and the same is hereby repealed. So much of Sections 2 and 4 of recited Act as to Seizures repealed.

II. On

Disposal of Seizures made under the said Sections.

II. On the Conviction of any Person in relation to whose Offence any Goods shall have been seized under the Provisions of the said Sections respectively, such Goods shall be absolutely forfeited; or if any such Goods as aforesaid shall not within Fourteen Days after the making thereof be claimed, by Application in Writing to the Inspector or Superintendent of Police, or to the County Inspector or Sub-Inspector, by whom or within whose District such Goods shall have been seized, then, although no Conviction shall have taken place, such Goods shall be absolutely forfeited: Provided always, that if any such Claim shall be made in the Manner and within the Time herein directed and limited in that Behalf, and no such Conviction as aforesaid shall have been or shall be made, then such Goods so seized shall be proceeded upon to Condemnation by Information before any Justice or Justices of the Peace, in like Manner as in the Case of Goods seized under the Provisions of any Act relating to Duties of Excise; and all such Goods seized which shall be absolutely forfeited or condemned on Information, as herein provided, may either be destroyed, or be disposed of and the Proceeds thereof applied in such Manner as the Commissioners of Inland Revenue shall think fit to direct in that Behalf.

Penalties recovered by Constabulary in certain Cases to be paid to Collector of Inland Revenue.

III. All Penalties recovered by Officers of the Constabulary by virtue of the Powers conferred by the Thirteenth Section of the said Act of the last Session of Parliament, as well as all Penalties recovered in Cases of immediate Arrest for any Offence committed against the said Act of the First and Second Years of His late Majesty, shall be paid into the Hands of the Sub-Inspector of Constabulary, or other Person appointed for the Purpose by the Inspector General of the Constabulary Force in *Ireland*, and by him handed over to the nearest Collector of Inland Revenue, for the Use of Her Majesty, after deducting and paying thereout all reasonable Expenses.

Section 7 of 3 & 4 W. 4. c. 68., requiring Bonds to be given by Applicants for Licences in Ireland, repealed.

IV. And whereas by Section Seven of an Act passed in the Session of Parliament holden in the Third and Fourth Years of His said late Majesty's Reign, Chapter Sixty-eight, Persons applying for any Licence for the Sale of Beer, Cider, or Spirits by Retail in *Ireland* are required to enter into a Bond, with Sureties, conditioned as in such Section is mentioned, and it is expedient to relieve such Applicants from the Burden of entering into such Bond and providing such Sureties: Be it enacted, That the said Section Seven of the said last-mentioned Act shall be and the same is hereby repealed.

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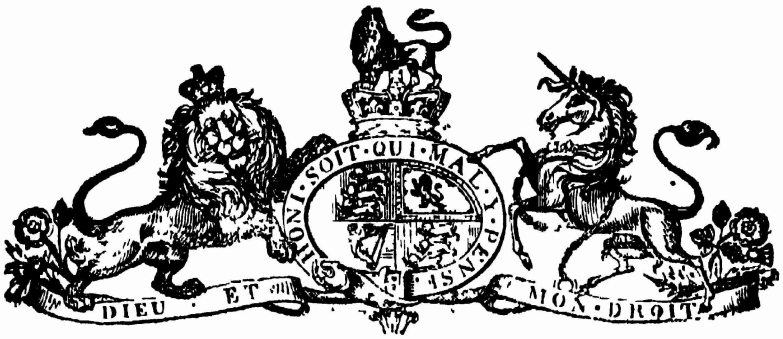

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CIV.

An Act for the Regulation of *Chinese* Passenger Ships. [14th *August* 1855.]

WHEREAS Abuses have occurred in conveying Emigrants from Ports in the *Chinese* Seas: And whereas it is expedient to prevent such Abuses: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of certain Terms herein mentioned.

I. In the Construction of this Act the Term "*Chinese* Passenger Ship" shall include every Ship carrying from any Port in *Hong Kong*, and every *British* Ship carrying from any Port in *China* or within One hundred Miles of the Coast thereof, more than Twenty Passengers, being Natives of *Asia*; the Word "Colony" shall include all Her Majesty's Possessions abroad not being under the Government of the *East India* Company; the Word "Governor" shall signify the Person for the Time being lawfully administering the Government of such Colony; the Term "Legislature of *Hong Kong*" shall signify the Governor and Legislative Council or other Legislative Authority of the same for the Time being; the Word "Ship" shall include all Sea-going Vessels; the Terms "Commander" and "Master" of any

Ship shall include any Person for the Time being in command or charge of the same; the Term "Emigration Officer" shall include every Person lawfully acting as Emigration Officer, Immigration Agent or Protector of Emigrants, and every Person authorized by the Governor of any *British* Colony to carry out the Provisions of this Act; and the Term "*British* Consul" shall include every Person lawfully exercising Consular Authority on behalf of Her Majesty in any Foreign Port.

Legislature of Hong Kong to make Regulations respecting Passenger Ships, &c.

II. It shall be lawful for the Legislature of *Hong Kong*, by any Ordinance to be by them enacted for that Purpose, to make Regulations respecting *Chinese* Passenger Ships, and, in the Case of *British* Ships, respecting the Treatment of the Passengers therein while at Sea, and until such Enactment the Regulations contained in Schedule (A.) to this Act annexed shall be in force: Provided always, that no such Ordinance shall come into operation until Her Majesty's Confirmation of the same shall have been proclaimed in *Hong Kong* by the Governor thereof.

Governor of Hong Kong to declare Length of Voyages.

III. It shall be lawful for the Governor of *Hong Kong* to declare, by Proclamation, for the Purposes of this Act and of the said Regulations, what shall be deemed to be the Duration of the Voyage of any *Chinese* Passenger Ship, and by such Proclamation to alter the Scales of Dietary, Medicines, and Medical Comforts contained in the aforesaid Schedule (A.)

No Chinese Passenger Ship to clear out on Voyage of more than Seven Days without Emigration Officer's Certificate and Copy of Regulations, nor until Bond be given to Crown.

IV. No *Chinese* Passenger Ship shall clear out or proceed to Sea on any Voyage of more than Seven Days Duration until the Master thereof shall have received from an Emigration Officer a Copy of the aforesaid Regulations, and a Certificate in the Form contained in Schedule B. to this Act annexed, or in such other Form as may be prescribed by the said Legislature, which Copy and Certificate, with any Documents to be attached thereto (herein-after designated as Emigration Papers,) shall be signed by the said Emigration Officer, nor until the Master shall, with Two sufficient Sureties, to be approved by the said Emigration Officer, have entered into a joint and several Bond in the Sum of One thousand Pounds to Her Majesty, Her Heirs and Successors, in the Form contained in Schedule C. to this Act annexed, or in such other Form as shall be prescribed by the said Legislature.

Penalty of Bond, when recoverable.

V. The said penal Sum of One thousand Pounds shall be due and recoverable notwithstanding any Penalty or Forfeiture imposed by this Act or by the aforesaid Regulations, and whether such Penalties or Forfeitures shall have been sued for and recovered or not.

VI. It

VI. It shall be lawful for the Commander of any of Her Majesty's Ships of War, or for any Emigration Officer, Custom House Officer, or *British* Consul, to enter and search any *Chinese* Passenger Ship (being a *British* Vessel or within *British* Jurisdiction) so long as such Ship shall have any Passengers on board, and for Forty-eight Hours afterwards, and in case such Ship shall be engaged on a Voyage of more than Seven Days Duration, to require the Production of the Emigration Papers of such Ship, and to examine all Persons on board of the same, in order to ascertain whether the Provisions of this Act and of the Regulations aforesaid have been complied with; and any Person who refuses to allow, attempts to avoid, or obstructs any such Entry, Search, or Examination, or who knowingly misleads or deceives any Person lawfully making any such Search or Examination, or who, being the Master of the Ship or having the Emigration Papers in his Custody, fails to produce the same when required as aforesaid, shall be deemed guilty of a Misdemeanor.

Commander of Ships of War, &c. may search Ships, or require Production of Papers.

VII. In case of any Neglect or Refusal to comply with any of the Provisions of this Act or any of the Regulations aforesaid, or to perform any Stipulation in any of the Contracts made with the Passengers, the Master of the Ship, and any other Person who may have been guilty of or have aided or abetted such Neglect or Refusal, shall each be deemed for each Offence guilty of a Misdemeanor.

Penalty for Neglect to comply with Regulations, &c.

VIII. If any *Chinese* Passenger Ship clears out or proceeds to Sea on any Voyage exceeding Seven Days in Duration without such Emigration Papers as aforesaid, or if the Emigration Papers of any *Chinese* Passenger Ship are forged or fraudulently altered, such Ship shall, if she is a *British* Ship, or if, not being a *British* Ship, the Offence is committed and the Ship is seized in Her Majesty's Dominions or in the Territories of the *East India* Company, be forfeited to Her Majesty.

Ship to be forfeited for clearing without Emigration Papers, or for Forgery of such Papers.

IX. Every Person who commits or aids or abets in committing any Act or Default by which any *Chinese* Passenger Ship may become liable to Forfeiture shall be liable to a Penalty not exceeding One hundred Pounds for each Offence.

Penalties in addition to Forfeiture.

X. It shall be lawful for any Commissioned Officer on Full Pay in the Military or Naval Service of Her Majesty, or any *British* Officer of Customs, or any *British* Consul, to seize and detain any Ship which has become subject to Forfeiture as aforesaid, and bring her for Adjudication before the High Court of Admiralty in *England* or *Ireland*, or any Court having Admiralty Jurisdiction in Her Majesty's Dominions or in the Territories of the *East India* Company, and such Court may thereupon make such Order in the Case as it thinks fit, and may

Mode of enforcing Forfeiture.

may award such Portion of the Proceeds of the Sale of any forfeited Ship as it thinks right to the Officer bringing in the same for Adjudication, or to any Persons damaged by the Act or Default which has rendered the Ship liable to Forfeiture.

Officer not liable for any Seizure made on reasonable Grounds.

XI. No such Officer as aforesaid shall be responsible, either civilly or criminally, to any Person whomsoever, in respect of the Seizure or Detention of any Ship that has been seized or detained by him in pursuance of the Provisions herein contained, notwithstanding that such Ship is not brought in for Adjudication, or, if so brought in, is declared not to be liable to Forfeiture, if it is shown to the Satisfaction of the Judge or Court before whom any Trial relating to such Ship or such Seizure or Detention is held that there are reasonable Grounds for such Seizure or Detention; but if no such Grounds are shown, such Judge or Court may award Payment of Costs and Damages to any Party aggrieved, and make such other Order in the Premises as he or it thinks just.

Fine may be substituted for Forfeiture.

XII. It shall be lawful for the Court before which any Ship liable to Forfeiture under this Act is proceeded against to impose such a pecuniary Penalty as to the same Court shall seem fit, in lieu of condemning the Ship, and in such Case to cause the Ship to be detained until the Penalty is paid, and to cause any Penalty so imposed to be applied in the same Manner in which the Proceeds of the said Ship, if condemned and sold by Order of the Court, would have been applicable.

Mode of Procedure in Criminal Cases.

XIII. All Misdemeanors and other Criminal Offences punishable under this Act shall be dealt with, tried, and judged of in the same Manner as Misdemeanors and other Offences punishable under the Merchant Shipping Act, 1854, and all the Rules of Law, Practice, or Evidence applicable to the last-mentioned Misdemeanors and Offences shall be applicable to Misdemeanors and other Offences under this Act.

Application of Penalties.

XIV. Any Court, Justice, or Magistrate imposing any Penalty under this Act for which no specific Application is herein provided may, if it or he thinks fit, direct the whole or any Part thereof to be applied in compensating any Person for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty is imposed, or in or towards Payment of the Expenses of the Proceedings; and, subject to such Directions or specific Application as aforesaid, all Penalties recovered in the United Kingdom shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated

Consolidated Fund of the United Kingdom; and all Penalties recovered in any *British* Possession shall be paid over into the Public Treasury of such Possession, and form Part of the Public Revenue thereof.

XV. In any legal Proceeding taken under this Act or in respect of the Bond herein-before required any Document purporting to be the written Declaration of any *British* Consul, or of the Commander of any of Her Majesty's Ships of War, or to be a Copy of the Proceedings of any Court of Justice, shall, without any Proof of Signature, be received in Evidence, in case it shall appear that such Copy or Declaration, if produced in the United Kingdom, was officially transmitted to One of Her Majesty's Principal Secretaries of State, or, if produced in any Colony, was officially transmitted to the Governor thereof: Provided always, that no Person making such written Declaration as aforesaid shall be capable of receiving a Share of any Penalty or Forfeiture which shall be procured by such written Declaration.

Written Declarations of Commanders, &c. primâ facie Evidence.

XVI. This Act may be cited for any Purpose whatever under the Name of the "*Chinese* Passengers Act, 1855."

Short Title.

XVII. This Act shall come into operation as soon as it shall have been proclaimed in *Hong Kong* by the Governor thereof, or if not so proclaimed, on the First Day of *January* next ensuing.

Commencement of Act.

SCHEDULE (A.)

Regulations respecting Chinese Passenger Ships.

Note.— The wilful and fraudulent Breach of any of these Regulations by the Person in charge of any Chinese Passenger Ship is punishable by Forfeiture of the Ship, and every Person concerned in such Breach is liable to a Fine of One hundred Pounds for each Offence.

I. No Chinese Passenger Ship shall clear out or proceed to Sea on any Voyage of more than Seven Days Duration without a Certificate from an Emigration Officer; and such Certificate shall be in the Form provided by the Chinese Passenger Act, 1855.

II. No Emigration Officer shall be bound to give such Certificate in respect of any Chinese Passenger Ship till Seven Days after receiving Notice that the Ship is to carry Passengers, and of her Destination, and of her proposed Day of Sailing, nor unless there are on board a Surgeon and Interpreter approved by such Emigration Officer.

III. After receiving such Notice the Emigration Officer shall be at liberty at all Times to enter and inspect the Ship, and the Fittings, Provisions, and Stores therein, and any Person impeding him in such Entry or Inspection, or refusing to allow of the same, shall be liable to a Fine of not more than One hundred Pounds for each Offence.

IV. The Emigration Officer shall not give his Certificate unless he shall be satisfied,—

(1.) That the Ship is sea-worthy, and properly manned, equipped, fitted, and ventilated; and has not on board any Cargo likely, from its Quality, Quantity, or Mode of Stowage, to prejudice the Health or Safety of the Passengers:

(2.) That the Space appropriated to the Passengers in the 'Tween Decks contains at the least Twelve Superficial and Seventy-two Cubical Feet of Space for every Adult on board; that is to say, for every Passenger above Twelve Years of Age, and for every Two Passengers between the Ages of One Year and Twelve Years:

(3.) That a Space of Five Superficial Feet per Adult is left clear on the Upper Deck for the Use of the Passengers;

(4.) That Provisions, Fuel, and Water have been placed on board, of good Quality, properly packed, and sufficient to supply the

the Passengers on board during the declared Duration of the intended Voyage, according to the following Scale:

DIETARY SCALE.

Rice	lbs. 1½	per diem.
Salted Provisions,—		
Wholly Pork; or	„ ½	do.
⅔ Pork and ⅓ Fish; or		
⅓ Pork, ⅓ Beef, and ⅓ Fish		
Salted Vegetable or Pickles	„ ½	do.
Water, Imperial Quarts	3	do.
Firewood	lbs. 2	do.
Tea	oz. ⅓	do.

(5.) That Medicines and Medical Comforts have been placed on board according to the following Scale:

SCALE OF MEDICINES AND MEDICAL COMFORTS:

For every 100 Passengers, and in like Proportion for any greater or less Number.

Calomel	3	oz.	Senna Leaves	8	oz.
Blue Pill	2	„	Blistering Plaister	8	„
Rhubarb Powder	2	„	Sulphur Sublimed	16	„
Compound Jalap Powder	12	„	Sulphur, Ointment	12	„
Ipecacuanha Powder	12	„	Linseed Flour	4	lbs.
Opium	2	„	Country Soap	24	oz.
Dover's Powder	2	„	Castor Oil	6	Bottles.
Magnesia	2	„	Oil of Peppermint	2	oz.
Epsom Salts	6	lbs.	Adhesive Plaister, spread	2	Yards.
Chloride of Lime	20	„	Simple Ointment	16	oz.
Tartar Emetic	4	Drams.	Ringworm Ointment	16	„
Quinine	2	oz.	Jeremie's Opiate	2 oz.	Phial.
Antimonial Powder	0½	„	Aromatic Spirits of Hartshorn	4	„
Extract of Colocynth, Compound	1	„	Cholera Pills in Phial	12	Drams.
Carbonate of Ammonia	1½	„	Cubebs Powder	4	lbs.
Assafœtida	1	„	Sweet Spirits of Nitre	16	oz.
Camphor	1½	„	Copaiba	16	„
Camphorated Liniment	16	„	Sulphate of Copper	2	„
Catechu	2	„	Sulphate of Zinc	1	„
Prepared Chalk	2	„	Lunar Caustic	4	Drams.
Tincture of Opium	8	„	Lime Juice	36	Quarts.
Turpentine	16	„	Rum or Brandy	36	„

INSTRUMENTS, &c.

1 Set of Amputating and other Surgical Instruments (if there be any Person on board competent to use them).
1 One Ounce Glass Measure.
1 Minim Glass Measure.
1 Pestle and Mortar (Wedgewood).
1 Set of Weights and Scales (Grains in Box).
1 Set of common Splints.
1 Set of Bleeding Lancets.
1 Silver Catheter.
1 Spatula.
1 Dressing Scissors.
1 Infusion Box.
1 Quire of Country Paper.
1 Penknife
2 Metal Bed Pans.
2 Trusses for Hernia, Right and Left.
2 Small Syringes.
4 Ounces prepared Lint.
2 Pieces Cloth for Bandages.

V. The

Chinese Passenger Ships.

V. The Master of any Chinese Passenger Ship being a British Ship and proceeding on a Voyage of more than Seven Days Duration shall, during the whole of the intended Voyage, make Issues of Provisions, Fuel, and Water, according to the aforesaid Dietary Scale, and shall not make any Alteration, except for the manifest Advantage of the Passengers, in respect of the Space allotted to them as aforesaid, or in respect of the Means of Ventilation, and shall not ill-use the Passengers, or require them (except in case of Necessity) to help in working the Vessel; and shall issue Medicines and Medical Comforts, as shall be requisite, to the best of his Judgment, and shall call at such Ports as may be mentioned in the Emigration Officer's Clearing Certificate for fresh Water and other Necessaries; and shall carry them without unnecessary Delay to the Destination to which they have contracted to proceed.

VI. The Emigration Officer shall not give his Certificate until he shall have mustered the Passengers, and have ascertained to the best of his Power that they understand whither they are going, and comprehend the Nature of any Contracts of Service which they have made; he shall also take care that a Copy of the Form of such Contracts, or an Abstract of their Substance, signed by himself, is appended to the said Certificate: If any of the Passengers are in bad Health, or insufficiently provided with Clothing, or if the Contracts are unfair, or if there is Reason to suspect that Fraud or Violence have been practised in their Collection or Embarkation, he may detain the Ship, and, if he shall think fit, may order all or any of the Passengers to be re-landed.

SCHEDULE (B.)

Emigration Officer's Certificate, &c.

I hereby authorize the Chinese Passenger Ship to proceed to Sea for the Port of in ; and I certify that the said Ship can legally carry Adults, and that there are on board Passengers, making in all Adults, viz., Men, Women, Male Children, and Female Children, such Children being between the Ages of One and Twelve Years; that the Space set apart and to be kept clear for the Use of such Emigrants is as follows:—On the Upper Deck, Superficial Feet, being [*here describe the Space*], and in the Between Decks Superficial Feet, being [*here describe the Space*]; that the Ship is properly manned and fitted, and that the Means of ventilating

lating the Part of the Between Decks appropriated to Passengers are as follows, [*here describe the Means of Ventilation*]; that the Ship is furnished with a proper Quantity of good Provisions, Fuel, and Water for Days Issues to the Passengers according to the *annexed Dietary Scale, and with a proper Quantity of Medicines, Instruments, and Medical Comforts according to the *annexed Scale of Medical Necessaries; that I have inspected the Contracts between the Emigrants and their intended Employers (the Terms of which are annexed to this Certificate), and consider them reasonable; that no Fraud appears to have been practised in collecting the Emigrants; and that there are on board a Surgeon † [and Interpreter] approved by me, and designated [respectively and] ‡ [The Master of the Ship is to put into and for Water and fresh Vegetables.]

(Signed) ,

Emigration Officer.

Dated this Day of 18 .

* These Scales must be those prescribed by the Regulations in Schedule A.

† In case the Ship has been authorized to proceed without an Interpreter omit the Part between Brackets, and add "and that the Ship has been authorized to proceed without an Interpreter."

‡ The Part between Brackets is to be inserted or not, as may be required.

SCHEDULE (C.)

Form of Bond to be given by the Masters of Chinese Passenger Ships.

Know all Men by these Presents, That we are held and firmly bound unto our Sovereign Lady Queen Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, in the Sum of One thousand Pounds of good and lawful Money of Great Britain, to be paid to our said Sovereign Lady the Queen, Her Heirs and Successors; to which Payment, well and truly to be made, we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, Administrators, and every of them, firmly by these Presents.

Sealed with our Seals.

Dated this Day of 18 .

Whereas by the Chinese Passenger Act, 1855, it is enacted, that before any Chinese Passenger Ship shall clear out or proceed to Sea on a Voyage of more than Seven Days computed Duration, the Master thereof shall, with Two sufficient Sureties to be approved by an Emigration Officer, enter into a Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds.

Now the Condition of this Obligation is this, that if (in respect of the Ship , whereof is Master) all and every of the Requirements of the said Chinese Passenger Act, and of the Regulations contained in Schedule (A.) to the said Act annexed, or enacted by the Legislature of Hong Kong, shall be well and truly observed and performed [*in like Manner as the same ought to be observed and performed in case the said Ship were a British Ship, and the said a British Subject], then this Obligation to be void, otherwise to remain in full Force and Effect.

Signed, sealed, and delivered by the above-bounden
and , in the Presence of

* This Clause to be inserted only in the Case of a Foreign Chinese Passenger Ship.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

****

CAP. CV.

An Act to amend the Lunatic Asylums Act, 1853, and the Acts passed in the Ninth and Seventeenth Years of Her Majesty, for the Regulation of the Care and Treatment of Lunatics.

[14th *August* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Any single County or Borough may unite with the Subscribers to a Hospital, and any Committee of Visitors of an existing Asylum may so unite

I. Section Three of the Lunatic Asylums Act, 1853, shall extend to empower the Justices of any One County or Borough to authorize any Committee of Justices elected for such County or Borough thereunder to treat and enter into an Agreement for uniting with the Subscribers to any such Hospital as therein mentioned, and it shall not be necessary that any other County or Borough be a Party to such Agreement; and Section Five of the said Act shall extend to empower any such Committee of Visitors as therein mentioned to enter into an Agreement for uniting with the Subscribers to any such Hospital alone.

II. When

The Proportion of Expenses between any County and Borough may be fixed with reference to Accommodation likely to be required.

II. When Two or more Committees agree to unite under the Lunatic Asylums Act, 1853, or under that Act as amended by this Act, the Proportion in which the Expenses of carrying into execution the Purposes of the said Act shall be charged upon and raised by each County and Borough so uniting may be calculated and fixed according to the Extent of the Accommodation which in the Judgment of the Committees entering into such Agreement will be required for the Pauper Lunatics of such County and Borough respectively; and the Power in Section Sixteen of the Lunatic Asylums Act, 1853, of repealing or altering the Stipulations of any Agreement for uniting, shall extend to authorize the Alteration thereof by readjusting the Proportions in which the Expenses aforesaid shall be charged on each County and Borough and the Subscribers (if any) uniting, or any of the said Parties, and, where the Committee of Visitors think fit, by fixing as aforesaid, according to the probable Extent of Accommodation required, the Proportion in which each County and Borough is to contribute to such Expenses; and where the Proportions of any Contributions are fixed according to the probable Extent of Accommodation required as aforesaid the Agreement shall specify that such Proportions are fixed according to that Basis.

Agreements for uniting to be hereafter entered into to stipulate for Contribution by Counties and Boroughs according to their relative Populations for the Time being, where not fixed according to foregoing Provision.

III. Where an Agreement for uniting is hereafter entered into under the Lunatic Asylums Act, 1853, or under that Act as amended by this Act, and the Proportion in which the Expenses of carrying the Purposes of the said Act into execution are to be charged upon each County and Borough is not fixed, under the foregoing Provision, with reference to the probable Extent of Accommodation required, the Agreement shall stipulate that such Expenses, or, where any Committee of Subscribers of a Lunatic Hospital are a Party to the Agreement, then that the aggregate Amount to be contributed by the Counties and Boroughs towards such Expenses, shall be from Time to Time charged upon and raised by the Counties and Boroughs in proportion to their respective Populations as stated in the last Return for the Time being made of the same under the Authority of Parliament, and such Agreement shall be varied from the Form in Schedule (A.) to the Lunatic Asylums Act, 1853, accordingly.

Where Expenses are to be contributed in proportion to Population, the same to be ascertained by last Census for the Time being.

IV. Where an Agreement for uniting has been already entered into under the Lunatic Asylums Act, 1853, or any former Act, the Expenses of carrying into execution any such Act, or, where any Committee of Subscribers is a Party to the Agreement, the aggregate Amount to be contributed by such Counties and Boroughs, shall be from Time to Time charged upon and raised by the Counties and Boroughs united in proportion to their respective Populations as stated

stated in the last Return for the Time being made of the same under the Authority of Parliament, save where such Expenses are adjusted and fixed under the foregoing Provision according to the probable Extent of Accommodation required.

Where there is a Dissolution of a Union a new Asylum to be provided.

V. To the Intent that due Provision may be made for the Reception and Care of the Pauper Lunatics of Counties and Boroughs Parties to Unions upon the Dissolution of such Unions, the Justices of every County and Borough united (either alone or with any Subscribers) shall, before any Dissolution of their Union takes effect, at a General or Quarter Sessions for such County, or at a Special Meeting of the Justices of such Borough, (as the Case may require,) elect a Committee to provide an Asylum for their County or Borough, and authorize such Committee to proceed for that Purpose in manner by the Lunatic Asylums Act, 1853, provided in the Case of a County or Borough not having an Asylum; and all the Provisions of the said Act and this Act applicable to a Committee elected to provide an Asylum in the Case of a County or Borough not having an Asylum shall be applicable to the Committee elected under this Provision.

Provisions to apply to Councils of Boroughs where they have taken upon themselves the Execution of the Lunatic Asylums Act, 1853.

VI. Where the Council of a Borough has taken upon itself, under the Lunatic Asylums Act, 1853, or the Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred and twenty-six, the Duties, Powers, and Authorities imposed or conferred upon or given to the Justices of the Borough, such Council shall be subject to and have and exercise the Duties, Powers, and Authorities by this Act imposed or conferred upon the Justices of a Borough, or any Committee elected by them; and such Council may confer upon any Committee appointed by them such of the said Duties, Powers, and Authorities as under this Act are or may be conferred upon a Committee elected by the Justices of a Borough; and where the Council of a Borough had before the Commencement of the Lunatic Asylums Act, 1853, taken upon itself under the said Act of the Eighth and Ninth Years of Her Majesty, Chapter One hundred and twenty-six, the Duties, Powers, and Authorities imposed or conferred upon or given to the Justices of the Borough, such Council shall, from the Commencement of the Lunatic Asylums Act, 1853, be deemed to have been subject to and to have had the Duties, Powers, and Authorities by that Act imposed or conferred upon the Justices of a Borough, or any Committee elected by them, and to have been authorized to confer upon any Committee appointed by such Council such of the said Duties, Powers, and Authorities as under such Act may be conferred upon a Committee elected by the Justices of a Borough.

VII. Any

Places becoming Boroughs after the Commencement of the Lunatic Asylums Act, 1853, to be deemed Boroughs annexed to the Counties in which they are situate.

VII. Any Place which has become a Borough within the Definition contained in Section One hundred and thirty-two of the Lunatic Asylums Act, 1853, since the Commencement of that Act, shall, from and after the passing of this Act, be deemed to be a Borough annexed to the County in which the same is situate, and any Place which after the passing of this Act becomes a Borough within such Definition shall, from and after the Time of becoming such Borough, be deemed a Borough so annexed, and the Provisions contained in Section Nine in the Lunatic Asylums Act, 1853, for the Appointment of Two Justices of a Borough annexed thereunder to a County to be Members of the Committee of Visitors of the Asylum of such County, and in relation to the Contribution by such Borough to the Expenses of the Asylum of such County, shall extend to any Borough annexed under this Enactment.

Powers given by Sect. 77. of Lunatic Asylums Act, 1853, to Visitors of an Asylum to order Removal of Pauper Lunatics extended.

VIII. The Power given by Section Seventy-seven of the Lunatic Asylums Act, 1853, to any Two of the Visitors of any Asylum, being Justices, to order any Pauper Lunatic chargeable to any Parish or Union within the County or Borough, or any County or Borough to which such Asylum wholly or in part belongs, or to any such County, and who may be confined in any other Asylum, or in any registered Hospital or licensed House, to be removed to such first-mentioned Asylum, shall be extended so as to authorize such Visitors to order any Pauper Lunatic chargeable to any Parish or Union within any County or Borough, or to any County for the Reception of the Pauper Lunatics whereof into such first-mentioned Asylum there is a subsisting Contract, and who may be confined as aforesaid, to be removed to such first-mentioned Asylum, and also to order any such Pauper Lunatic as herein-before mentioned to be removed from such first-mentioned Asylum to any Asylum, registered Hospital, or licensed House, subject nevertheless to the Restriction contained in Section Seventy-eight of the Lunatic Asylums Act, 1853.

Powers of Commissioners and Visitors to continue applicable to a House which has been licensed after Expiration of Licence, while any Patients are therein.

IX. The Powers of the Commissioners and Visitors under the Lunatic Asylums Act, 1853, and the Acts of the Eighth and Ninth Years of Her Majesty, Chapter One hundred, and the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, with reference to any licensed House and the Inmates thereof, and all Powers and Provisions of the said Acts having reference to the Discharge, Removal, and Transfer of such Inmates, shall, after the Expiration or Revocation of any Licence granted in respect of such House, continue in force for all Purposes, so long as any Lunatics are detained therein, in the same Manner as if the Licence subsisted.

X. Whereas

Contracts under Forty-second Section of Lunatic Asylums Act, 1853, may be renewed.

X. Whereas Doubts have been entertained whether under the Forty-second Section of the Lunatic Asylums Act, 1853, a Contract for the Reception of Pauper Lunatics thereby authorized can be renewed: Be it declared and enacted, That upon or after the Expiration or other Determination of any Contract for any of the Purposes of the said Section it shall be lawful for every Committee of Visitors, under and subject to the several Provisions of the said Act applicable thereto, from Time to Time to enter into a new Contract for any of the Purposes mentioned in the said Section with the Committee of Visitors of any Asylum, or with the Subscribers to any Hospital registered or the Proprietor of any House licensed for the Reception of Lunatics, and for the Committee of Visitors of any Asylum, or the Subscribers to any registered Hospital or the Proprietor of any licensed House, to contract with any Committee of Visitors accordingly.

Provision for Burial of Pauper Lunatics.

XI. Where the Visitors of Lunatic Asylums for Counties and Boroughs in *England*, or any of their Officers duly authorized in that Behalf, shall undertake the Burial of any Pauper Lunatic, and the Burial cannot take place in the Parish where the Death shall have taken place by reason of the public Burial Ground of such Parish having been closed, and no other having been provided, or where, in consequence of the crowded State of such Burial Ground, the Visitors as aforesaid are of opinion that the Burial of such dead Body therein would be improper, it shall be lawful to bury such Body in a public Burial Ground of or in some other Parish as near as conveniently may be to the Parish wherein the Death shall have taken place, with the Consent of the Minister and Churchwardens of such Parish: Provided, that in all Cases of Burial under the Direction of the Visitors or their Officers as aforesaid the Fee or Fees payable by the Custom of the Place where the Burial may be, or under the Provisions of any Act of Parliament, shall be paid by the said Visitors for the Burial of each such Body to the Person or Persons who by such Custom or under such Act of Parliament shall be entitled to receive such Fee or Fees.

Power to enter into Agreements with Cemetery Company or Burial Board.

XII. The Visitors of Lunatic Asylums in *England* may from Time to Time enter into Agreements with the Proprietors of any Cemetery established under the Authority of Parliament, or with any Burial Board duly constituted under the Statutes in that Behalf, for the Burial of the dead Bodies of any Pauper Lunatics which such Visitors may undertake to bury; and thereupon the Burial of any such Body, under the Directions of the said Visitors or their Officer, in such Cemetery, or in the Burial Ground of such Burial Board, shall be lawful: Provided, however, that no such Agreement shall

be valid unless made in such Form and with such Stipulations as the Commissioners in Lunacy shall approve.

Committee of Visitors may convey Land for Burial Ground for Lunatics, &c. dying in the Asylum.

XIII. And whereas it is expedient that Burial Grounds should be provided for Persons dying in any County or Borough Lunatic Asylum built or to be built under the Authority of any Act of Parliament for the Reception of Pauper Lunatics: Be it therefore enacted, That it shall be lawful for every Committee of Visitors of any County or Borough Lunatic Asylum, or for any Trustees or Trustee in whom any Land shall be vested for the Purposes of an Asylum, with the previous Consent of One of Her Majesty's Principal Secretaries of State under his Hand, to give, grant, and convey to Her Majesty's Commissioners for building new Churches, and it shall be lawful for them to accept, any Portion not exceeding Two Statute Acres of any Land which belongs to or has been or may be purchased for any such Asylum, for the Purpose of Consecration as a Burial Ground for Pauper or other Lunatics or Officers or Servants dying in such Asylum, and that in all such Cases the Freehold of every Burial Ground, of which Her Majesty's said Commissioners shall accept a Conveyance under the Provisions of this Act for the Purpose of Consecration, shall, after the same Burial Ground shall have been consecrated, vest in the Visitors or Trustees or Trustee, as the Case may be, for the Time being of the County or Borough Lunatic Asylum to which such Burial Ground shall belong, and be for ever thereafter exclusively appropriated for the Burial of Pauper and other Lunatics dying in such Asylum, and of the Officers and Servants belonging to such Asylum and dying therein; and that from and after the Consecration of such Land the Incumbent of the Parish in which such Burial Ground is situate shall not be entitled to any Fee for the Interment therein of any Pauper or other Lunatic dying in such Asylum, or of any of the Officers and Servants belonging to such Asylum and dying therein.

Pauper Lunatics, whose Settlements cannot be ascertained, where found in a Borough which does not contribute to the County Expenditure, to be chargeable to such Borough.

XIV. And whereas Doubts are entertained as to the Chargeability of Pauper Lunatics found in Boroughs whose Settlements cannot be ascertained, and it is expedient to remove such Doubts:

Section Three of the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighty-two, shall be repealed; and where any Pauper Lunatic is not settled in the Parish by which or at the Instance of some Officer or Officiating Clergyman of which he is sent to an Asylum, registered Hospital, or licensed House, and it cannot be ascertained in what Parish such Pauper Lunatic is settled, and such Lunatic was found in a Borough having a separate Court of Quarter Sessions of the Peace, and which is not liable, under the Act of the Session holden in the Fifth and Sixth Years

Years of King *William* the Fourth, Chapter Seventy-six, Section One hundred and seventeen, to the Payment of a Proportion of the Sums expended out of the County Rate, such Lunatic may be adjudged to be chargeable to such Borough by any Two Justices of such Borough; and it shall not be lawful for any Justices to adjudge such Lunatic to be chargeable to any County, nor to make any Order upon the Treasurer of any County for the Payment of any Expenses whatsoever incurred or to be incurred in respect of the said Lunatic; and all the Provisions in the Lunatic Asylums Act, 1853, as to the Mode of determining that a Pauper Lunatic is chargeable to a County, and as to the Order to be made for the Maintenance of such Pauper Lunatic, shall extend and be applied to such Borough, as fully and effectually, to all Intents and Purposes, as if all the said Provisions were repeated and re-enacted in this Act, and made applicable to such Borough, in the same Manner in all respects as though for the Purposes of this Provision such Borough were a separate and distinct County.

Seals of Commissioners, Visitors, and Justices, to Orders, &c., dispensed with.

XV. In all Cases in which, under the Lunatic Asylums Act, 1853, or the Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred, or the Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, any Order or other Instrument is required to be under the Hand and Seal or Hands and Seals of any Visitor or Visitors, Justice or Justices, it shall be sufficient for such Order or Instrument to be signed only; and all such Orders and Instruments as aforesaid which have been signed before the passing of this Act, and have not had a Seal or Seals affixed to them, as by Law required, shall be and be deemed to have been valid and sufficient to justify any Proceeding thereon or thereunder.

So much of Sect. 6. of 16 & 17 Vict. c. 96. as requires personal Examination of Patients, repealed.

XVI. So much of Section Six of the said Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, as requires such Assent as therein mentioned of Two of the Commissioners not to be given until after such Commissioners have by personal Examination of the Patient satisfied themselves of his Desire to remain, shall be repealed.

Consent of Committee of Management of any Hospital sufficient to authorize a Patient being sent to any Place for Health.

XVII. The Superintendent of any registered Hospital may, with the Consent in Writing of Two Members of the Committee having the Management or Government of such Hospital, send or take, under proper Control, any Patient to any specified Place for any definite Time for the Benefit of his Health; and any such Consent, and any Consent under Section Eighty-six of the said Act of the Eighth and Ninth Years of Her Majesty, Chapter One hundred, may be from Time to Time renewed and the Place varied.

XVIII. If

Detention of Lunatics after Expiration of or Revocation of Licence a Misdemeanor.

XVIII. If after the Lapse of Two Months from the Expiration of any Licence for the Use of any House for the Reception of Lunatics which has not been renewed, or if after the Revocation of any such Licence there be in any such House Two or more Lunatics, every Person keeping such House, or having the Care and Charge of such Lunatics, shall be guilty of a Misdemeanor.

Act to be read with the Acts amended as One Act.

XIX. This Act, so far as the same amends or affects the said Acts of the Eighth and Ninth Years of Her Majesty, Chapter One hundred, and of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, or either of them, shall be read and construed together with the said Acts as One Act, and the Provision contained in Section One hundred and six of the said Act of the Eighth and Ninth Years of Her Majesty shall extend to Offences against this Act; and this Act, so far as the same amends or affects the Lunatic Asylums Act, 1853, shall be read and construed therewith as One Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CVI.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom.

[14th *August* 1855.]

WHEREAS it is expedient to suspend for a further Period the Ballots for the Militia of the United Kingdom: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Meetings relating to the Militia of the United Kingdom and Ballots for such Militia suspended.

I. All General and Subdivision Meetings relating to the Militia of the United Kingdom, and all Proceedings relating to procuring any Returns, or preparing or making out Lists of such Militia or any Part thereof, for the Purpose of a Ballot, or relating to balloting for any Militiamen or supplying any Vacancies in such Militia by Ballot, as are or may be directed or authorized by or under any Act of Parliament now in force, shall cease and remain suspended until the First Day of *October* One thousand eight hundred and fifty-six.

Proceedings may be had during such

II. Provided always, That it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had at

any

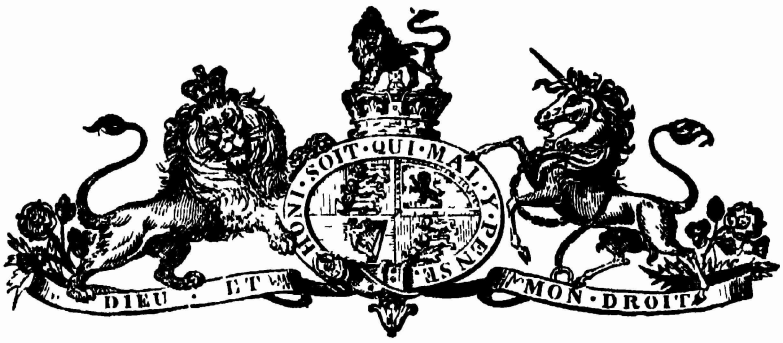
Suspension by Order in Council.

any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in the United Kingdom relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Cities, and Places in the United Kingdom; and all the Provisions of the several Acts in force in the United Kingdom relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia.

Not to extend to prevent the holding of certain Meetings relating to the Militia.

III. Provided also, That nothing herein contained shall extend to prevent the holding before the Expiration of such Period as aforesaid of such General or other Meetings relating to the Militia of the United Kingdom as may be called in *Great Britain* under the Authority of One of Her Majesty's Principal Secretaries of State, or in *Ireland* under the Authority of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or of any Meeting which may be called for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CVII.

An Act to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of *Tobago*. [14th *August* 1855.]

WHEREAS by an Act passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Twenty-two, (" for granting Relief to the Island of " *Tobago*, and for aiding the Colonies of *British Guiana* and " *Trinidad* in raising Money for the Promotion of Immigration of " Free Labourers,") the Commissioners of Her Majesty's Treasury were authorized, in manner therein mentioned, to lend Exchequer Bills for any Sum not exceeding Fifty thousand Pounds for the Service of the Island of *Antigua*, and any Sums not exceeding in the whole Fifty thousand Pounds for the Relief of the Island of *Tobago*, on the Credit of the Revenues and public Property thereof, as soon as the said Commissioners should be satisfied that Repayment of the several Sums to be advanced (with Interest thereon at the yearly Rate of Four Pounds by the Hundred) was duly secured to the Satisfaction of the said Commissioners by some Act or Acts passed or to be passed by the Legislature of the said Island: And whereas the Commissioners of Her Majesty's Treasury accordingly advanced the Sum of Twenty thousand Pounds to the Island of *Tobago*, being the Proportion required of the said Sum of Fifty thousand Pounds, the Repayment thereof, with Interest, having been secured by the Legislature of the said

11 & 12 Vict. c. 22.

said Island, as required by the said Act, and out of the Sums so advanced Advances were made, under the Authority of the said Legislature, to Persons who had suffered Losses by a Hurricane in the said Island: And whereas it is expedient that the Commissioners of the Treasury should be empowered to extend the Time for the Repayment of the Principal Monies remaining owing on the said Securities, and to reduce the Interest payable thereunder, as hereinafter mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Treasury to extend the Time of Repayment of Loan to Tobago, and to reduce Interest to 3*l.* 5*s.* per Cent.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant such Extension of the Period for Payment of the Principal Monies owing by the said Island of *Tobago* in respect of the said Loan, and to accept Payment thereof by such Instalments and at such Times as the said Commissioners in their Discretion may think proper and fix, and to accept Interest upon the Principal Monies remaining unpaid after the yearly Rate of Three Pounds Five Shillings *per Centum*, instead of the said yearly Rate of Four Pounds *per Centum*, upon being satisfied that an Act has been passed by the Legislature of such Island for securing on the Credit of the Revenue or public Property thereof the punctual Payment of the Instalments of Principal Monies, with Interest as aforesaid, at the Times and in manner fixed by the said Commissioners, and also for securing to the Persons indebted in respect of the Advances made out of the said Loan to the Sufferers in the said Island Advantages corresponding with those granted to such Legislatures under this Act.

Corresponding Advantages being secured to the private Borrowers.

In case of Default of Payment at the Times fixed under this Act, the Rate of Interest and Instalments originally agreed upon may be required.

II. Provided always, That in case of Default in Payment of any of the Instalments of Principal Monies which may become payable from the said Island under such Extension of Time, or of the said reduced Interest, at the Times fixed by the said Commissioners of the Treasury, it shall be lawful for such Commissioners to require from the Island, in case of such Default, Payment of Interest at the yearly Rate of Four Pounds *per Centum* on the Principal Monies remaining due, and also Payment of such Principal Monies by such Instalments as were made payable by the Securities originally given by the Legislature of such Island; and such Interest and Instalments of Principal Monies which may be so required to be paid shall thereupon become payable accordingly.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CVIII.

An Act to amend the Law for the Inspection of Coal Mines in *Great Britain*. [14th *August* 1855.]

WHEREAS an Act of the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter One hundred, was passed "for Inspection of Coal "Mines in *Great Britain*:" And whereas, with a view to the Safety of the Persons employed in such Mines, it is expedient that further Provision be made for the Inspection and Regulation thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 13 & 14 Vict. c. 100.

I. The said Act of the Thirteenth and Fourteenth Years of Her Majesty shall be repealed: Provided always, that the Inspectors of Coal Mines appointed under such Act shall continue to be such Inspectors under this Act, subject, nevertheless, to Removal by One of Her Majesty's Principal Secretaries of State; provided also, that all Penalties incurred under the said Act before the Repeal thereof may be proceeded for and applied as if this Act had not been passed. 13 & 14 Vict. c. 100. repealed.

II. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint any fit Person or Persons to be an Inspector or Inspectors of Coal Mines, and from Time to Time to remove any such Inspector or Inspectors; and Notice of the Appointment of every such Inspector shall be published in the *London Gazette*. Power to Secretary of State to appoint Inspectors of Mines.

III. No Person who shall act or practise as a Land Agent, or as a Manager, Viewer, or Agent, or Mining Engineer, or Valuer of Mines, or No Land Agent or Manager, &c.

of Coal Mine to act as Inspector.

or Arbitrator in any Matters of Dispute arising between Owners of Mines, or be otherwise employed in any Coal Mine or Colliery, shall act as an Inspector of Coal Mines under this Act.

General Rules to be observed in all Coal Mines.

IV. The following Rules (herein-after referred to as the General Rules) shall be observed in every Coal Mine and Colliery by the Owner and Agent thereof:

1. An adequate Amount of Ventilation shall be constantly produced at all Collieries to dilute and render harmless noxious Gases to such an Extent as that the working Places of the Pits and Levels of such Collieries shall under ordinary Circumstances be in a fit State for working:
2. Every Shaft or Pit which is out of Use, or used only as an Air Pit, shall be securely fenced:
3. Every Working and Pumping Pit or Shaft shall be properly fenced when not at work:
4. Every Working and Pumping Pit or Shaft where the natural Strata under ordinary Circumstances are not safe shall be securely cased or lined:
5. Every Working Pit or Shaft shall be provided with some proper Means of signalling from the Bottom of the Shaft to the Surface, and from the Surface to the Bottom of the Shaft:
6. A proper Indicator to show the Position of the Load in the Pit or Shaft, and also an adequate Break, shall be attached to every Machine worked by Steam or Water Power used for lowering or raising Persons:
7. Every Steam Boiler shall be provided with a proper Steam Gauge, Water Gauge, and Safety Valve.

Special Rules to be made for each Colliery, with the Approval of Secretary of State.

V. In addition to the General Rules, there shall be established and observed in every Coal Mine or Colliery such other Rules (herein-after referred to as Special Rules) for the Conduct and Guidance of the Persons acting in the Management of such Coal Mine or Colliery, and of all Persons employed in or about the same, as under the particular State and Circumstances of such Coal Mine or Colliery may appear best calculated to prevent dangerous Accidents; and such Special Rules for each Coal Mine or Colliery shall be framed by the Owner thereof, and forthwith transmitted to One of Her Majesty's Principal Secretaries of State; and such Rules, if not objected to by such Secretary of State within Forty Days from the Day upon which they are received by him, shall be established; and in case such Secretary of State shall be of opinion that such Rules or any of them do not sufficiently provide for the Safety of the Person or Persons employed in or about such Coal Mine or Colliery, it shall be lawful for such Secretary of State, within the Forty Days aforesaid, to propose any Alterations in or Additions to such Special Rules; and in case such Owner shall not, within Twenty Days from the Day on which such Alterations or Additions are proposed to him, object

object to the same, the Special Rules shall be established with such Alterations and Additions; and in case such Owner shall, within the said Twenty Days, object to such Alterations or Additions or any of them, it shall be lawful for such Owner, within Seven Days after he shall have so objected, to nominate Three or more practical Mining Engineers or other competent Persons of Experience in the District within which such Coal Mine or Colliery is situate, and who shall not be interested in or employed in the Management of such Coal Mine or Colliery, of whom such Secretary of State may appoint One or more, to determine the Matter in difference, and to decide what Special Rules shall be established in such Coal Mine or Colliery; and if such Owner shall not within such Seven Days nominate such Mining Engineers as aforesaid, or if such Secretary of State shall not within One Month from the Time of such Nomination appoint One or more of the Persons so nominated by the Owner as aforesaid, then and in such Case Two such Mining Engineers or other competent Persons as aforesaid shall be appointed, One of whom shall be named by the Owner of such Coal Mine or Colliery, and One by the Secretary of State; and the said Persons so appointed shall, before they proceed to determine the Matters in difference, and to decide what Special Rules shall be established in such Coal Mine or Colliery, appoint a Third Person, being such Mining Engineer or such other competent Person as aforesaid, to be their Umpire in case of Difference of Opinion between them; and the Determination of such Persons and the said Umpire, or of any Two of them, shall be final, and the Special Rules shall be established accordingly: Provided, that after such Rules are established it shall be lawful for the Owner of any Coal Mine or Colliery (or for the Secretary of State) to propose from Time to Time any Amendments of such Rules, which Amendments, if not objected to by the Secretary of State within the Time aforesaid, or Owners, as the Case may be, shall be established; and in case of Objection being made to any of them, and of a Difference arising out of such Objection, the same Proceedings shall be had respecting them as herein-before provided in reference to the Special Rules when originally submitted to such Secretary of State, and objected to: Provided also, that the Amount of Payment to be made to all such Persons, and to such Umpire so nominated or appointed as aforesaid, for their Services, shall be fixed by such Secretary of State, and paid in equal Moieties by such Owner and the Commissioners of Her Majesty's Treasury, who are hereby authorized to make such Payment accordingly.

Publication of Rules.

VI. For the Purpose of making known the General Rules and Special Rules to all Persons employed in or about each Coal Mine or Colliery, the Owner thereof shall cause the General Rules and the Special Rules for such Coal Mine or Colliery to be painted on a Board or printed upon Paper to be pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal

principal Office or Place of Business of the Coal Mine or Colliery; and the General Rules and Special Rules so painted or printed and hung up shall be renewed and restored with all reasonable Despatch as often as the same or any Part thereof may be defaced, obliterated, or destroyed; and a printed Copy of such General and Special Rules shall be supplied to all Persons employed in and about the same.

Powers and Duties of Inspectors

VII. It shall be lawful for any Inspector to enter, inspect, and examine any Coal Mine or Colliery, and the Works and Machinery belonging thereto, at all reasonable Times and Seasons, by Day or Night, but so as not to impede or obstruct the working of the said Coal Mine or Colliery, and to make Inquiry into and touching the State and Condition of such Coal Mine or Colliery, Works and Machinery, and the Ventilation of such Mine or Colliery, and the Mode of lighting or using Lights in the same, and into all Matters and Things connected with or relating to the Safety of the Persons employed in or about the same, and especially to make Inquiry whether the Provisions of this Act are complied with in relation to such Coal Mine or Colliery; and the Owner or Agent of such Coal Mine or Colliery is hereby required to furnish the Means necessary for such Entry, Inspection, Examination, and Inquiry; and if such Inspector find any of the General Rules or any of the Special Rules established for such Coal Mine or Colliery to be neglected or wilfully violated, such Inspector shall forthwith give Notice in Writing thereof to the Owner or Agent of such Coal Mine or Colliery; and if such Inspector find any Part of such Coal Mine or Colliery, Works or Machinery, or any Aircourses, Airdoors, Waterways, Drains, Pits, Levels, Shafts, or other Matter or Thing in or connected with such Coal Mine or Colliery, or the Mode of lighting or using Lights in the same, to be otherwise dangerous or defective, so as in his Opinion to threaten or tend to the bodily Injury of any Person employed in or about such Coal Mine or Colliery, such Inspector shall thereupon, by Notice in Writing, summon before him at the Colliery Office the Manager or principal Colliery Viewer or Agent having charge of the said Coal Mine or Colliery, in order to his being heard upon the Matter giving rise to such finding as aforesaid; and if such Manager or principal Colliery Viewer or Agent do not attend after reasonable Notice, or having attended fail to satisfy such Inspector, then such Inspector shall serve Notice in Writing of the particular Grounds on which he is of opinion that the said Coal Mine or Colliery, or any Part thereof, or any other of the Particulars above mentioned, is dangerous or defective, on the Owner or Agent thereof, and shall also report the same to One of Her Majesty's Principal Secretaries of State; and in case of any Difference arising thereupon the same shall be determined in the Manner hereinbefore provided with respect to proposed Alterations or Additions to the Special Rules, and a Copy of such Notice in case of no such Difference as aforesaid, or of the Determination in case of such Difference,

ence, arising, shall, if the said Danger or Defect be not forthwith removed or remedied, and if the Secretary of State shall so direct, be hung up or affixed on some conspicuous Part of the principal Office or Place of Business of the Coal Mine or Colliery, and a Copy supplied to every Workman to whom such Notice or Determination shall apply, such Copy so to be hung up or affixed as aforesaid to be removed on the Certificate of the Inspector of the District, or of the Persons by whom such Determination shall have been made, that such Danger or Defect has been removed or remedied: Provided always, that so long as any Copy of such Notice or Determination purporting that the Coal Mine or Colliery, or any Part thereof, or any other of the Particulars above mentioned, is dangerous or defective, shall remain so hung up or affixed, and the Danger or Defect notified therein shall not be removed or remedied, it shall be lawful for any Person employed in or about such Coal Mine or Colliery to discontinue his Service in any Part of such Coal Mine or Colliery to which Part the said Notice or Determination shall apply, without being therefore liable to be proceeded against under the Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Thirty-four, as for Absence from his Service, or Misconduct in the Execution thereof: Provided also, that unless the Owner or Agent on whom the Notice is served as aforesaid shall within Seven Days of such Service signify to the said Inspector his Objections to the same, and at the same Time nominate Three competent Persons as herein-before provided in the Fifth Section, with a view to the Determination of such Objection, such Notice shall be considered good and valid, and shall be hung up or affixed as herein-before provided.

Owners of Coal Mines to produce Maps or Plans of Mines to Inspector.

VIII. The Owner or Agent of every Coal Mine or Colliery shall, on the Occasion and for the Purpose of the Inspection and Examination thereof, produce and submit for Examination to any such Inspector as aforesaid a Map or Plan of the Workings of such Coal Mine or Colliery, upon which Map or Plan shall be delineated the several Parts, Aircourses, Airdoors, Waterways, Drains, Pits, Levels, and Shafts in and connected with such Coal Mine or Colliery; and if such Owner or Agent do not produce and submit for Examination as aforesaid such a Map or Plan as aforesaid, or if any such Inspector as aforesaid find that any Portion of any Map or Plan is withheld, or any Part of the Workings of any such Mine or Colliery is concealed from his Inspection, or if he find, on examining and verifying any Map or Plan, that the same is imperfect or inaccurate, he is hereby empowered to require that an accurate Map or Plan of the actual Workings of such Coal Mine or Colliery, and the Works thereto belonging, clearly delineating such Matters and Things as aforesaid, be made within a reasonable Time, by and at the Expense of the Owner of such Mine, on a Scale of not less than Two Chains to One Inch, or on such other Scale as the Plan then used

If Owners do not produce Maps, &c., Inspector may require them to be made.

used in the Colliery is constructed on; and every such Map or Plan as aforesaid shall show the Workings of the Mine up to within Six Months of the Time of Inspection; and the Owner or Agent of the Coal Mine or Colliery shall, if required so to do by any such Inspector as aforesaid, mark or cause to be marked on such Map or Plan the Progress of the Workings of the Coal Mine or Colliery up to the Time of his Inspection thereof: Provided, that nothing herein contained shall be constructed to authorize any Inspector to make a Copy of the whole or any Part of a Map or Plan which shall be produced or made.

Notice of Accidents in Mines to be given to Secretary of State.

IX. If and when Loss of Life to any Person employed in or about any Coal Mine or Colliery occurs by reason of any Accident within such Coal Mine or Colliery, or any Pits or Shafts thereof, or any Works or Machinery connected with such Pits or Shafts, or if any serious personal Injury arises from Explosion therein, the Owner or Agent of such Mine or Colliery shall, within Twenty-four Hours next after such Loss of Life, send Notice of such Accident, under the Hand of such Owner or Agent, to One of Her Majesty's Principal Secretaries of State, and in *Scotland* to the Lord Advocate, and in all Cases, to the Inspector of the District within which such Loss of Life shall occur, and shall specify in such Notice the probable Cause of such Accident, and such Notice may be sent through the Post Office, by Letter addressed to such Secretary of State or Lord Advocate, and to the Inspector of the District at his usual Place of Residence; and every Owner or Agent who neglects to send or cause to be sent such Notice as aforesaid within the Time aforesaid shall for such Offence be liable to a Penalty of not less than Ten Pounds and not exceeding Twenty Pounds.

Provision for giving Notice to Secretary of State of holding Inquests on Deaths from Accidents in Coal Mines.

X. Every Coroner holding an Inquest upon the Body of any Person whose Death may have been caused by any such Accident as aforesaid shall (unless some Person be present on behalf of One of Her Majesty's Principal Secretaries of State to watch the Proceedings at such Inquest, or Notice of such Accident shall have been sent, Four clear Days at the least previously thereto, through the Post Office, by Letter addressed to One of such Secretaries of State, and the sending of the same be proved to the Satisfaction of the Coroner,) adjourn such Inquest, and by Letter sent Two Days at the least before holding such adjourned Inquest, through the Post Office, addressed to One of such Secretaries of State, give Notice to such Secretary of State of the Time and Place of holding the same: Provided always, that it shall be lawful for such Coroner, before the Adjournment of any such Inquest, to take Evidence to identify the Body, and to order the Interment thereof.

Penalties for Offences against this Act.

XI. If after the Thirty-first Day of *December* One thousand eight hundred and fifty-five any Coal Mine or Colliery be worked, and, through

through the Default of the Owner thereof, Special Rules have not been established for the same, according to the Provisions of this Act, or the General Rules, or the Special Rules for such Coal Mine or Colliery, by this Act required to be established, have not been hung up or affixed, or have not, after Obliteration or Destruction, been renewed or restored, as required by this Act, or any of such General Rules or Special Rules which ought to be observed by the Owner and principal Agent or Viewer of such Coal Mine or Colliery be neglected or wilfully violated by any such Owner, Agent, or Viewer, such Person shall be liable to a Penalty of not exceeding Five Pounds, and also, in case the Default or Neglect be not remedied with all reasonable Dispatch, after Notice in Writing thereof given by an Inspector to the Owner or Agent of such Coal Mine or Colliery, to a further Penalty of not exceeding One Pound for every Day during which the Offence continues after such Notice; and every Person, other than aforesaid, employed in or about a Coal Mine or Colliery, who neglects or wilfully violates any of the Special Rules established for such Coal Mine or Colliery, shall for every such Offence be liable to a Penalty not exceeding Two Pounds, or to be imprisoned, with or without Hard Labour, in the Common Gaol or House of Correction for any Period not exceeding Three Calendar Months, or to be proceeded against and punished according to the Provisions of the Act Fourth *George* the Fourth, Chapter Thirty-four, intituled *An Act to enlarge the Power of Justices in determining Complaints between Masters and Servants.* 4 G. 4. c. 34.

Penalty for obstructing Inspectors.

XII. Every Owner or principal Agent of any Coal Mine or Colliery who refuses or neglects to produce, as herein-before required, a Map or Plan of the Workings of a Colliery to any Inspector, or to furnish to said Inspector the Means necessary for making any Entry, Inspection, Examination, or Inquiry under this Act, and every Person who wilfully obstructs any Inspector in the Execution of this Act, shall for every such Offence be liable to a Penalty of not less than Five Pounds and not exceeding Ten Pounds.

Penalty for defacing Notice used for such Publication.

XIII. Every Person who pulls down, injures, or defaces any Notice hung up or affixed as required by this Act shall for every such Offence be liable to a Penalty of not exceeding Forty Shillings.

Penalties how recoverable.

XIV. All Penalties imposed by this Act may be recovered in a summary Manner before Two Justices of the Peace, or in *Scotland* before the Sheriff having Jurisdiction in the County or Place where the Offence is committed, within Three Months of the Commission of the same, in the Manner prescribed by the Law in that Behalf; and it shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Recommendation of One of Her Majesty's Principal Secretaries of State, to direct that any Penalty imposed for neglecting to send or cause to be sent Notice of any Accident,

as

as required by this Act, shall be paid to or among any of the Family or Relatives of any Person or Persons killed by such Accident, as he may think fit; and, save as aforesaid, all Penalties imposed by this Act shall, when recovered, be paid, for the Use of Her Majesty, to the Sheriff or other proper Officer of the County, Riding, Division, or Place for which the Justices or other competent Authority before whom the Penalty is recovered shall have acted.

Certified Copy of Special Rules to be Evidence.

XV. A Copy of the Special Rules for the Time being established in any Coal Mine or Colliery, certified under the Hands of One of the Inspectors to be a Copy of the Special Rules established in such Coal Mine or Colliery, shall be Evidence of such Special Rules, and of their being duly established under this Act, without further Proof.

Reports of Inspectors to be laid before Parliament.

XVI. Every Inspector shall on or before the First Day of *March* in every Year make a separate and distinct Report in Writing of his Proceedings during the preceding Year, and shall transmit the same to One of Her Majesty's Principal Secretaries of State, and a Copy of such Report shall be laid before both Houses of Parliament.

Interpretation of Terms.

XVII. In the Construction of this Act the Term "Owner" of a Coal Mine or Colliery shall mean the immediate Proprietor, Lessee, or Occupier of a Coal Mine or Colliery or of any Part thereof; and the Term "Agent" of a Mine shall mean any Person having on behalf of the Owner of any Mine the Care or Direction thereof; and the Term "Inspector" or "Inspectors" shall respectively mean an Inspector or Inspectors of Coal Mines appointed under the said Act of the Thirteenth and Fourteenth Years of Her Majesty or this Act; and the Term "District" shall mean that Portion of *Great Britain* which shall be assigned to any One of such Inspectors.

Extent of Act.

XVIII. This Act shall not extend to *Ireland*.

Term of this Act.

XIX. This Act shall continue until the Expiration of Five Years after the passing of this Act, and thenceforth until the End of the then next Session of Parliament.

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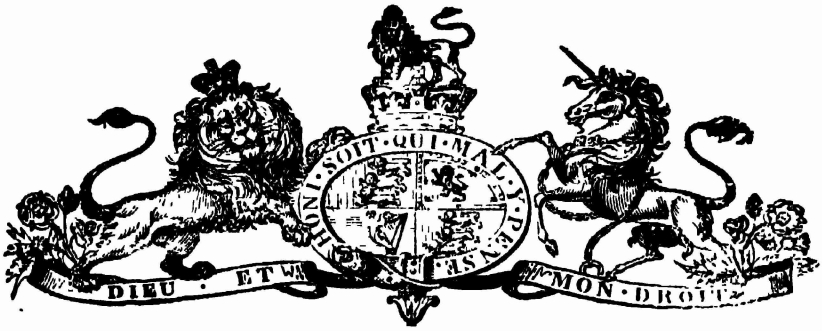

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CIX.

An Act to make further Provisions for the Repayment of Advances out of the Consolidated Fund for the Erection and Enlargement of Asylums for the Lunatic Poor in *Ireland*, and to amend the Laws with reference to the Repayments in case of Change of Districts, and the Appointment of Commissioners of General Control and Correspondence. [14th *August* 1855.]

WHEREAS, under the Provisions of the several Statutes in that Case made and provided, certain Asylums for the Lunatic Poor in *Ireland* were from Time to Time ordered by the Lord Lieutenant and Privy Council of *Ireland* to be erected, enlarged, or extended: And whereas certain Sums of Money have been advanced from Time to Time by the Commissioners of Her Majesty's Treasury, out of the growing Produce of the Consolidated Fund of the United Kingdom arising in *Ireland*, for the Purpose of defraying the Expenses of such Erection, Enlargement, and Extension of the said Asylums, such Advances having been made in certain Cases under and by virtue of an Order or Orders of the Lord Lieutenant and Privy Council of *Ireland*, and in certain other Cases without such Order or Orders: And whereas Provision is made by the Statutes aforesaid that it shall and may be lawful for the Lord Lieutenant and Privy Council to make Orders for the Repayment by the Counties forming the District of any such Asylums of the Monies so ordered by the Lord Lieutenant and Privy Council to be advanced: And whereas it is doubtful whether it is competent for the Lord Lieutenant and Privy Council to make Orders for the Repay-

ment of those Sums for the Advance of which no Orders in Council were made: And whereas it is expedient to make better Provision for the Repayment of the whole of such Sum or Sums so advanced as aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On Completion of Asylum, Commissioners for General Control and Correspondence, &c. of Asylums to certify to the Lord Lieutenant in Council the whole of the Sums expended.

I. From and after the passing of this Act, in every Case where any of the Asylums so ordered to be erected, enlarged, or extended as aforesaid shall have been already handed over or shall be hereafter handed over to the Governors of such Asylum fit for the Reception of the Lunatic Poor, as provided by the Act First and Second *George* the Fourth, Chapter Thirty-three, it shall be lawful for the Commissioners for General Control and Correspondence, and for superintending and directing the Erection and Establishment of Asylums for the Lunatic Poor in *Ireland*, and they are hereby required, to transmit to the Clerk of Her Majesty's Privy Council in *Ireland* a certified Return of all the Moneys which shall have been expended from Time to Time in such Erection, Enlargement, or Extension of such Asylum as aforesaid, and a certified Copy of the said Returns to the Governors of such Asylum, and also One to the Secretary of the Grand Jury of each of the Counties associated in each of such Asylums, and the said Clerk of the Council shall lay the said Return before the Lord Lieutenant in Council as soon as conveniently may be; provided that in case any Difference of Opinion shall arise as to the Fitness of any Asylum for the Reception of the Lunatic Poor between the Governors and the Board of Works, it shall be lawful for the Governors to refer the Question to the Lord Lieutenant in Council, who is hereby empowered to decide between them.

Lord Lieutenant in Council to make Order for the Repayment of all the Sums certified to have been expended.

II. It shall and may be lawful for the Lord Lieutenant and Council, on such certified Return being laid before them, to make an Order or Orders for the Repayment by the Counties within the District in and for which such Asylum shall be erected and established of the Sums so certified to have been expended, in such Manner, and at such Times, and in such Proportions as shall be fixed by said Order.

Grand Jury of the County to make Presentment for the Repayment of the Money so ordered to be repaid.

III. It shall be lawful for the Grand Jury of any and every County in *Ireland* in or for which, either wholly or in part, any such Asylum hath been or shall be erected and established, and such Grand Jury is hereby required, without any previous Proceedings, at any Presentment Sessions, to present the Sum or Sums to be fixed and ascertained by any such Order or Orders accordingly, or in default thereof the same shall be inserted in and raised by an Order of the Judge of Assize, or of the Court at any Presenting Term, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be applotted and raised and levied accordingly, as if the same had been inserted in a Presentment duly made at the Assizes or Presenting Term at which such Order shall be made, any Act or Acts to the contrary notwithstanding.

IV. And

Lunatic Asylums (Ireland) (Advances).

IV. And whereas it is expedient to amend so much of an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws as to District Lunatic Asylums in* Ireland, *to provide for the Expense of the Maintenance of certain Lunatic Poor removed from the* Richmond *Lunatic Asylum*, Dublin, *for Want of Room therein, and to provide for the Salaries and Expenses incident to the Office of Inspector of Lunatics in* Ireland, as relates to the Repayments which, in case of Change of old Districts and Establishment of new Districts, any County or Counties remaining within the old Districts are liable to make to any County or Counties transferred to such new Districts of the whole of the Sums raised off such County or Counties so transferred as aforesaid for erecting and establishing any Lunatic Asylum in whose District such County shall have been theretofore situate: Be it enacted, That from and after the passing of this Act so much of the said recited Act as provides that the whole of such Sums so raised off any County or Counties shall be repaid to such County or Counties so transferred to a new District as aforesaid shall be and the same is hereby repealed; and it shall and may be lawful for the Lord Lieutenant and Privy Council, if they shall so think fit, to ascertain and fix the equitable Amount so to be repaid, and the Proportions and Instalments of such Repayments: Provided always, that before finally fixing and ascertaining the equitable Amount so to be repaid, the Chief or Under Secretary of the Lord Lieutenant shall transmit a Copy of the proposed Order for fixing and ascertaining such Amount, and the Proportions and Instalments of such Repayments, to the Secretary of the Grand Jury of every County affected by or interested in such Order, and such Secretary shall lay the same before the Grand Jury of such County on the First Day of their Meeting for fiscal Business; and in case any such Grand Jury shall think proper to object to such proposed Order, or any Part thereof, such Grand Jury shall at such Assizes be authorized to do so, and transmit the Particulars of their Objections to the said Chief or Under Secretary or the Lord Lieutenant, and the Lord Lieutenant and Privy Council shall at any Time after such Assizes (upon Notice to the Secretary of the Grand Jury of every or any County so objecting) proceed to consider the Objections which shall have been so made by or on the Part of any such Grand Jury, or, in the Absence of any such Objections, make an Order finally fixing and ascertaining the equitable Amount so to be repaid, and the Proportions and Instalments of such Repayments, which shall, when fixed as aforesaid, be presented, levied, and repaid in the like Manner as in the said recited Act is enacted and provided.

9 & 10 Vict. c. 115.

Manner of proceeding in case of Change of District.

V. And whereas by an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, it is, amongst other things, provided and enacted, that it shall and may be lawful for

1 & 2 G. 4. c. 33.

for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of His Majesty's Privy Council in *Ireland*, to nominate and appoint any Persons, not exceeding Eight in Number, to be Commissioners for General Control and Correspondence and for the superintending and directing the Erection, Establishment, and Regulation of all Asylums for the Lunatic Poor in *Ireland:* Be it enacted, That from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant in Council to revoke any Appointment heretofore made or purporting to have been made under the said recited Act as the Lord Lieutenant in Council may think fit, and to appoint from Time to Time as Vacancies may occur any other Persons (of whom the Chairman of the Commissioners of Public Works for the Time being shall be One) to be Commissioners for General Control and Correspondence, and for the superintending and directing the Erection, Establishment, and Regulation of Asylums for the Lunatic Poor in *Ireland;* and all Lands and Hereditaments and Property, of what Nature or Kind whatsoever, which may have been acquired by or vested in the said Commissioners for General Control and Correspondence, and for the superintending and directing the Erection, Establishment, and Regulation of Asylums for the Lunatic Poor, or any of them, appointed or purporting to have been appointed under the said recited Act of the First and Second Years of His late Majesty King *George* the Fourth, shall be and are hereby to all Intents and Purposes vested in the Commissioners for the Time being appointed and to be appointed under this Act.

Appointment of Commissioners.

Treasury to have Power to relieve Counties of a Portion of the Expenses if it should appear just.

VI. It shall be lawful for the Commissioners of the Treasury, if upon any Inquiries made under their Directions it shall appear to them just that the County or Counties liable to be charged in respect of any such Asylum should be relieved from a Portion of the Amount of the Expenses incurred in the building of such Asylum, to authorize and direct that Remission shall be made accordingly to such Amount as to the said Commissioners of the Treasury may appear just and reasonable.

Interpretation of Terms.

VII. In the Construction of this Act the Expression "Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland;* the Expression "Lord Lieutenant in Council" shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of Her Majesty's Privy Council in *Ireland;* and the Word "County" shall include a County of a City or County of a Town.

Short Title.

VIII. This Act may be cited for all Purposes as the "Lunatic Asylums Repayment of Advances (*Ireland*) Act, 1855."

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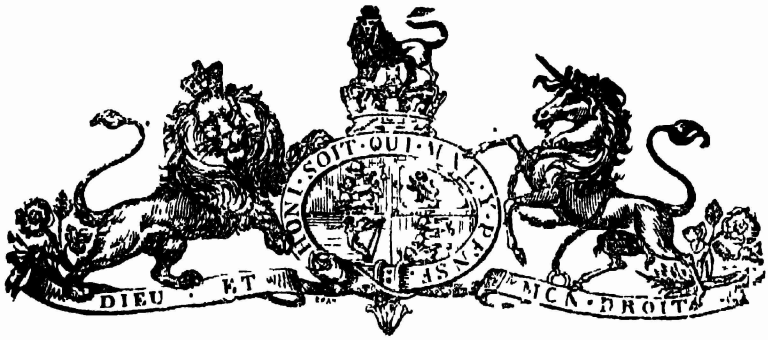

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

****

CAP. CX.

An Act to authorize the Application of certain Sums granted by Parliament for Drainage and other Works of public Utility in *Ireland*, towards the Completion of certain Navigations undertaken in connexion with Drainages, and to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in *Ireland*.

[14th *August* 1855.]

WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-nine, "to promote the Drainage of Lands and "Improvement of Navigation and Water Power in connexion with "such Drainage in *Ireland*:" And whereas the said Act was amended by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her Majesty, Chapter Sixty-nine, and by an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of Her Majesty, Chapter Four, and by an Act passed in the same Session of Parliament, Chapter Eighty-six, and by an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-nine, and by an Act passed in a Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty: And whereas by the said Act of the Ninth and Tenth Years of

5 & 6 Vict. c. 89.
8 & 9 Vict. c. 69.
9 & 10 Vict. cc. 4. and 86.
10 & 11 Vict. c. 79.
16 & 17 Vict. c. 130.
9 & 10 Vict. c. 4.

Her Majesty, Chapter Four, it is enacted, that in all Cases where, for the Purposes of Navigation connected with Drainage, a free Grant of a Moiety or more of the Expense of making or improving any such Navigation should or might be made under the Authority of Parliament, and the other Moiety or Residue of the Expense of making or improving such Navigation should or might be raised or advanced by way of Loan under the Provisions of the therein recited Acts or the said Act now in recital, then such Moiety or Residue so raised or advanced should, with Interest from the Date of such Loan, be charged upon the District which, by the Declaration to be made in such Case by the said Commissioners under the Provisions of the therein first-recited Act, it should be declared would be benefited by the making or improving of such Navigation, and the several Baronies, Half Baronies, and Townlands in such District, and should be repaid by and levied from such Baronies, Half Baronies, and Townlands in the Proportions in which it should be so declared that such Baronies, Half Baronies, and Townlands would be respectively benefited, in One Sum or by Instalments, under and subject to the several Provisions and Regulations in the therein recited Acts or the Act now in recital contained in relation to the Levy and Recovery of any Sums which under the Final Award of the said Commissioners should be payable by the Grand Jury of any County in respect of the Improvement of the Navigation of any River: And whereas by the said Act of the Tenth and Eleventh Years of Her Majesty it is enacted, that in all Cases where, for the Purposes of Navigation connected with Drainage, a free Grant of a Moiety or more of the Expenses of making or improving any such Navigation should be or should have been made by the Authority of Parliament, and the other Moiety or Residue of the Expense of making or improving such Navigation should be or should have been raised or advanced by way of Loan, then such Moiety or Residue so raised or advanced should be charged upon the District therein mentioned, and the several Baronies, Half Baronies, and Townlands in such District, and should be repaid by and levied from such Baronies, Half Baronies, and Townlands, without any Declaration of the Justices and associated Cesspayers, and without any Presentment previously made by the Grand Jury of the County or any of the Counties wherein such District as aforesaid should be situate; and in all such Cases all Proceedings hitherto taken by or before the Commissioners for the Execution of the said Acts under the therein-recited Provision, and all Loans, if any, made to them, and all Securities given by them for the same under such Provision, should be valid and effectual, notwithstanding any Omission or Defect as regards any such Declaration or Presentment as aforesaid: And whereas in connexion with the Drainage of Lands in certain Districts the Four several Navigations herein-after mentioned have been

10 & 11 Vict. c. 79.

been undertaken and in part executed under the Provisions of the said recited Acts of the Ninth and Tenth and Tenth and Eleventh Years of Her Majesty; (that is to say,)

1st. In the District of Lough *Neagh*, situate in the Counties of *Antrim*, *Derry*, *Tyrone*, *Armagh*, and *Down*, the Navigation of the *Lower Bann River* from the Bridge of *Coleraine* in the tidal Part of the said River to Lough *Neagh*, and extending thence to the First Lock or Entrance of the *Lagan*, *Newry*, *Ulster*, and *Coal Island* Canals:

2d. In the District of Loughs *Oughter* and *Gowna* and River *Erne*, situate in the Counties of *Fermanagh* and *Cavan*, the Navigation from *Belleek* by the Course of Upper and Lower Lough *Erne*, Lough *Oughter* and the River *Erne*, and the Towns of *Enniskillen* and *Belturbet* to *Killeshandra* and near to the Town of *Cavan:*

3d. In the District of *Ballynamore* and *Ballyconnell*, situate in the Counties of *Leitrim*, *Cavan*, and *Fermanagh*, the Junction Navigation by the Course of the *Woodford* River and Lakes, from Lough *Erne*, at the Mouth of the said River, to the River *Shannon* near the Village of *Leitrim:*

4th. In the District of Loughs *Corrib*, *Mask* and *Carra*, in the County of the Town of *Galway* and Counties of *Galway* and *Mayo*, the Navigation by the River and Lake *Corrib*, and Loughs *Corrib*, *Mask*, and *Carra* from the Sea at *Galway* to the Northern Extremity of the said Lough *Mask* and *Carra*, and to *Cloon Lough* in the River *Aill:*

And whereas free Grants to the Amount of One hundred and thirty-five thousand five hundred and seventy-three Pounds Three Shillings and Sevenpence have been heretofore made by the Authority of Parliament for the Purposes of the said Navigations: And whereas it is expedient to make further Provision by way of free Grant for the Completion of the said Navigations respectively, or such of them or such Portions of them or any of them as, upon Inquiries already made or to be hereafter made under the Directions of the Commissioners of the Treasury, it may be deemed expedient to complete: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Treasury may issue Money for the Purposes of Completion of Navigation.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury, out of the Sum of Eight hundred thousand Pounds which, by an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-one, is authorized to be issued to the Commissioners of Public Works in

in *Ireland*, to issue such Sum as may be necessary towards defraying the Expenses incurred in respect of the Four several Navigations herein-before mentioned, and towards the Completion of such several Navigations, or such of them or such Parts of them or any of them as it may be considered by the Commissioners of the Treasury expedient and proper to complete.

Power to the Treasury to authorize Completion of the Works.

II. The said Commissioners of the Treasury may authorize and direct the Commissioners of Public Works in *Ireland* to cause to be completed the Navigation Works so undertaken as aforesaid, or such of the same Works or such Portions of them or any of them as, upon any Inquiries already made or to be hereafter made under the Directions of the said Commissioners of the Treasury, such Commissioners of the Treasury may think fit, and with any Modifications or Alterations which to the said Commissioners of the Treasury may appear expedient; and the said Commissioners of Public Works shall have full Power and Authority to cause to be executed or completed the Works so authorized and directed by the said Commissioners of the Treasury to be completed or executed as aforesaid, and for that Purpose to do and execute all Acts and exercise all Powers and Authorities by the said Acts or this Act given for the Execution of any Work.

Power to the Treasury to reduce the Portion of Expenses chargeable on Counties, &c.

III. It shall be lawful for the said Commissioners of the Treasury, when, upon any Inquiries made or to be made as aforesaid, it appears to them just that the Counties, Baronies, or Townlands to be charged under the Award in relation to the said Navigation Works heretofore or hereafter to be executed should be relieved from any Portion of the Moiety or Residue of the Expenses incurred in relation to such Works, to authorize and direct the said Commissioners of Public Works in and by their Award to be made under this Act to charge upon the Counties, Baronies, or Townlands made liable under such Award in respect of such Works such lesser Sum than the full Amount of such Moiety or Residue of the Expenses of and incidental to such Works as to the said Commissioners of the Treasury may, under the Circumstances of each of the said Navigations, appear just; and such lesser Sum shall be charged upon the County or Counties, Barony or Baronies, District, or Townland or Townlands, which, in Awards to be made by the Commissioners of Public Works as herein-after provided, it shall be stated and awarded will, in the Opinion of the said Commissioners, be benefited by the making of such Navigations, by such Instalments and at such Times as shall be mentioned in any such Awards.

IV. It

IV. It shall be lawful for the said Commissioners of the Treasury to order and direct, as to any Sums of Money which out of the Funds applicable to Loans in aid of the said Navigation Works have been already advanced or issued, or may hereafter be advanced or issued, for the Execution of such Works, that so much of such Advances as in the Judgment of the said Commissioners of the Treasury should not be charged on any County, Barony, District, or Townland by the Awards of the Commissioners of Public Works should be and be deemed to be free Grants.

Advances which are not to be chargeable on Counties, &c. to be free Grants.

V. As soon as conveniently may be after any of the said Navigations shall have been completed in such Manner and to such Extent as shall be directed or approved of by the Commissioners of Her Majesty's Treasury, the said Commissioners of Public Works shall make an Award in such Manner and Form as may be convenient, specifying the total Amount of the Costs, Charges, and Expenses incurred in the making of any such Navigation, and showing the Portion which, under the Authority of the Commissioners of the Treasury, is to be charged of such Costs and Charges, together with the County or Counties, Barony or Baronies, Townland or Townlands, or any Part thereof, to be charged with such Portion of such Costs and Expenses as aforesaid, and the Instalments by and the Manner in which the Amount of such Portion is to be paid, as also the Proportions in which such County or Counties, Barony or Baronies, or Townlands, are to be chargeable towards such Portion of the Costs and Expenses aforesaid.

The Commissioners of Public Works to make an Award on Completion of the Works.

VI. The Secretary of said Commissioners of Public Works shall, after the making of such Award, certify to the Secretary of the Grand Jury of every County, County of a City, or County of a Town in which the Lands chargeable shall be situate, the Amount of such Sum of Money and the Instalments and Manner by and in which the same is payable under the Award of the said Commissioners, and every such Grand Jury is hereby required, at the Assizes next ensuing the Date of such Certificate, without Application to Presentment Sessions, to make Presentment of the Amount mentioned in such Certificate to be raised off the County at large, Barony or Baronies, Townland or Townlands, as may be mentioned in any such Award or Certificate, by the Instalments and in the Manner mentioned in such Certificate; and in default of such Presentment the Treasurer of such County, County of a City, or County of a Town is hereby required, without Presentment or Authority, when issuing his Warrant for levying Grand Jury Cess, immediately after the Assizes next ensuing the Date of such Certificate, and from Time to Time after each succeeding Assizes (until the whole of the Instal-

The Commissioners to certify Amount to the Grand Jury of the County, who are to make Presentment accordingly.

ments by any such Certificate payable shall be fully paid off and discharged), to insert in a separate Warrant to be by him issued for the Levy of the same the Amount mentioned in such Certificate to be raised off such County, Barony or Baronies, Townland or Townlands, therein mentioned; and such Amounts as shall be so presented, or so included in any such Warrant as aforesaid, shall be applotted, raised and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess; and when and so soon as such Amount as aforesaid shall be from Time to Time raised and received by the Treasurer of the County such Treasurer shall immediately pay the same to the Paymaster of Civil Services in *Ireland* for the Time being, and the same shall be by him paid into Her Majesty's Exchequer, in discharge of the Sum mentioned in any such Award.

Awards in respect of Drainage not to be affected, and to be made as if no Work of Navigation had been connected therewith.

VII. Nothing herein contained shall extend to prevent the said Commissioners of Public Works from making their Awards in relation to the Drainage of the Lands in connexion with the Drainage of which the said Works of Navigation may have been undertaken, or in relation to the Improvement of Mill Power, or to affect or interfere with the Provisions in relation to such Awards; and such Awards may be made and all Provisions in relation thereto shall take effect in like Manner as if no Works of Navigation had been undertaken in connexion with such Drainage or Mill Improvement Works.

Navigations may be transferred to Counties.

VIII. It shall be lawful for the said Commissioners of Public Works, by and with the Consent of the Commissioners of Her Majesty's Treasury, by Warrant under the Hands of the said Commissioners of Public Works or any Two of them, from Time to Time to direct that the said Navigations or any of them, with the Tolls thereof, shall be deemed and become the public Property of the County, or Counties if more than One, in which respectively the Lands chargeable under the Award in relation to the said Navigations respectively are situate; and from and after the Date of any such Warrant such Navigation, together with all Locks, Weirs, and other Works, Rights, Members, and Appurtenances thereto belonging, shall be deemed and taken to be the public Property of such County or Counties as aforesaid, and be held, maintained, and preserved by the Grand Jury or Juries of such County or Counties, with such Powers and Authorities and subject to such Provisions and Regulations as may hereafter be established by Parliament in relation thereto.

Power to Commissioners of

IX. Whereas by the said Act of the Sixteenth and Seventeenth *Victoria*, Chapter One hundred and thirty, it is amongst other things enacted,

enacted, that it should be lawful for the said Commissioners of the Treasury to authorize and direct the said Commissioners of Public Works in *Ireland*, by their Award to be made under the said Acts, to charge upon the Lands made liable under such Award such lesser Sum than the full Amount of the Expenses of and incidental to Works as to the said Commissioners of the Treasury might under the Circumstances of each Case appear just; provided always, that in all Cases the whole Amount of the Purchase Money or Compensation payable in respect of Land taken for or injuriously affected by any Works commenced and completed or executed, should be included in or charged under the Award to be made in relation to such Works: And whereas it frequently happens that Claims are made after Completion of the Works in the District, and in respect of which an Award has been made or is about to be made, and at Times when there are no Funds in the Hands of the said Commissioners or otherwise available for or properly applicable to the Payment of such Claims; and it is expedient to authorize the Commissioners in such Cases, within such limited Times as herein-after mentioned, in case it shall in their Discretion seem expedient so to do, to make a further or additional Award for the Purpose of charging the Amount of Purchase Money or Compensation which may be found to be due to any Person upon the Proprietors of Lands in the District in respect of the said Drainage whereof such Claims shall arise, and to limit the Time within which all Claims for Compensation or otherwise may be made: Be it therefore enacted, That in all Cases where after the Completion of the Works in any District, whether before or after the making the Final Award in relation to such Works, any Person shall be awarded or otherwise be entitled to be paid Purchase Money or Compensation in respect of Injury sustained or arising from such Drainage, or the Works incidental thereto, it shall be lawful for the Commissioners of Public Works, without Meeting or other preliminary Proceeding, in case they deem it proper or expedient so to do, by the first or by an additional Award or Awards, in such Form as the said Commissioners may think proper, from Time to Time to charge upon the Lands of the Proprietors within such District the Amount which may be found to be due for such Purchase Money or Compensation to be paid to the Person entitled to the same, as and when the same shall be received by the said Commissioners, such Sum or Sums by any such additional Award to be charged upon and paid out of the several Lands of the Proprietors in the District in such and the same Manner, and with the same Priority, and the same Rights, Privileges, and Powers for the Recovery thereof, as in and by the said Acts, or any of them, are given for the Recovery of the Sum specified in the Final Award: Provided nevertheless, that the Commissioners may declare that the Sums mentioned in such further

Public Works to charge Amounts which may be found due for Compensation, &c.

or

or additional Awards shall be paid and payable at such Times and by such Instalments as the said Commissioners shall therein for that Purpose limit and direct, so nevertheless that the entire Amount thereof shall be payable as between the said Proprietors of Lands in the said District in the same Proportions as the Sum charged by the Final Award in such District.

Limit of Time within which Claims to be made.

X. No Claim for Compensation or Damages in respect or by reason of any Act or Omission of the said Commissioners, or for or by reason of any Works whatsoever done or professed to be done by the said Commissioners, shall be made by Action, Suit, or otherwise, save within Six Months after the Act complained of.

Act not to abridge Powers of 16 & 17 Vict. c. 130.

XI. Nothing in this Act contained shall be deemed, taken, or construed to repeal, alter, or abridge any of the Provisions contained in the said Act of the Sixteenth and Seventeenth *Victoria*, Chapter One hundred and thirty.

Power to set off Benefit resulting during Execution of the Works.

XII. In all Cases of Claims for Compensation or Purchase Money made or to be made upon the said Commissioners it shall be lawful for the said Commissioners to set off against such Claims the Value of any Benefit which may have resulted or accrued to the Lands of the Party or Person making such Claim during the Execution of the Works of the said Commissioners, and before the making of the Final Award for the District in which such Lands may be situate; and the Arbitrator before whom any such Claim shall be made, when setting forth the Price or Compensation to be paid in respect of any such Claim, and the Jury before whom the Trial of any Traverse against the Award of such Arbitrator shall be had, shall take into consideration any Advantages or Benefit which may have resulted or accrued as aforesaid to the Lands of the Party or Person making such Claim.

Power to the Commissioners to release a Portion of the Lands.

XIII. It shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, from Time to Time and at any Time, (when and so often as by reason of the Redemption of any Part of the Monies charged under any Award of the said Commissioners upon the Lands of any Proprietor the annual Instalments payable in respect of the Lands mentioned in such Award shall be reduced,) by any Deed or Instrument under the Hands and Seals of the said Commissioners, or any Two of them, to release any of the Lands originally charged with the Payment of any Instalment under any such Award as aforesaid; and no Release of any Portion of the Lands charged under any such Award shall in anywise avoid, diminish, or affect any Remedies by the Acts herein-before recited

recited or otherwise given to be had and exercised for the Recovery of the Monies by any such Award charged in respect of the Residue of the Lands charged therewith.

As to the Appointment of Trustees for Drainage Districts connected with Navigation.

XIV. Anything in the said recited Act of the Fifth and Sixth Years of the Reign of Her present Majesty to the contrary notwithstanding, the Provisions of the said Act or any of the Acts amending the same, as far as regards the Appointment of Trustees for the Maintenance of Works of Drainage, and the several Powers and Authorities of such Trustees when so appointed, shall be held and deemed equally to apply to all Works of Drainage, though a Navigation may have been improved or formed, or a Reservoir may have been formed in connexion with such Drainage.

Providing for Trustees in case of only One Proprietor in a District, or any Number not exceeding Six.

XV. Provided always, That, anything in the said recited Acts to the contrary, in all Cases where there is only One Proprietor in any Drainage District, or where the Proprietors in any District do not exceed Six in Number, such One Proprietor or such Proprietors not exceeding Six, or other Persons nominated by them or any Two of them at any Meeting for the Purpose, shall be the Trustee or Trustees for the Maintenance of the Works in such District.

Power to further deepen the River Lung.

XVI. And whereas the said Commissioners of Public Works have put the Powers of the said recited Acts into operation in the District to which they have affixed the Name of the Lough *Gara* and *Mantua* District in *Ireland*, and in the Execution of the Works in the said District have partially deepened and widened the River *Lung*, situate in the Counties of *Roscommon* and *Mayo:* And whereas it is expedient that the said River should be further deepened and widened for the Purpose of draining additional Lands in the said District or its Vicinity: Be it therefore enacted, That it shall be lawful for One or more of the Proprietors of additional Lands to be drained in the said District, having first obtained the Consent in Writing of One Half of the Proprietors or more in extent of the Lands so proposed to be drained, to undertake the Execution of the Works necessary for further deepening and widening the said River, and to make and complete the same out of his or their own proper Funds, according to and in conformity with Plans, Sections, and Specifications approved of by the said Commissioners; and when such Works shall have been executed and completed to the Satisfaction of the said Commissioners, it shall be lawful for the said Commissioners to make an Award charging upon the Lands of the Proprietors within such District appearing to the said Commissioners to be benefited by such additional Works the Amount of the Expenses incurred in respect of such additional Works, such Sum by any such Award to

 be

be charged upon and paid out of the several Lands of the Proprietors so benefited by such additional Works, in such Proportion as may appear to the said Commissioners just, and in the same Manner, and with the same Priority, Rights, and Powers for the Recovery thereof, as in the said Acts, or any of them, are given for the Recovery of any Sum charged under the Final Award of the said Commissioners in any District: Provided always, that the total Amount of the Expenses to be charged in respect of such additional Works shall not exceed the Sum of Five hundred Pounds.

Acts to be construed as One Act.

XVII. The several Acts mentioned in this Act shall be construed together as One Act; and the several Words and Expressions to which an extended Signification is given in the said Acts, or any of them, shall have the like Signification as this Act; and (save where such Construction would be inconsistent with the Context) the Expression "the Commissioners," where used in this Act, shall mean the Commissioners of Public Works in *Ireland.*

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CAP. CXI.

An Act to amend the Law relating to Bills of Lading. [14th *August* 1855.]

WHEREAS by the Custom of Merchants a Bill of Lading of Goods being transferable by Endorsement the Property in the Goods may thereby pass to the Endorsee, but nevertheless all Rights in respect of the Contract contained in the Bill of Lading continue in the original Shipper or Owner, and it is expedient that such Rights should pass with the Property: And whereas it frequently happens that the Goods in respect of which Bills of Lading purport to be signed have not been laden on board, and it is proper that such Bills of Lading in the Hands of a *bonâ fide* Holder for Value should not be questioned by the Master or other Person signing the same on the Ground of the Goods not having been laden as aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Rights under Bills of Lading to vest in Consignee or Endorsee.

I. Every Consignee of Goods named in a Bill of Lading, and every Endorsee of a Bill of Lading to whom the Property in the Goods therein mentioned shall pass, upon or by reason of such Consignment or Endorsement, shall have transferred to and vested in him all Rights of Suit, and be subject to the same Liabilities in respect

 of

of such Goods as if the Contract contained in the Bill of Lading had been made with himself.

Not to affect Right of Stoppage in transitu or Claims for Freight.

II. Nothing herein contained shall prejudice or affect any Right of Stoppage *in transitu*, or any Right to claim Freight against the original Shipper or Owner, or any Liability of the Consignee or Endorsee by reason or in consequence of his being such Consignee or Endorsee, or of his Receipt of the Goods by reason or in consequence of such Consignment or Endorsement.

Bill of Lading in Hands of Consignee, &c., conclusive Evidence of the Shipment as against Master, &c.

Proviso.

III. Every Bill of Lading in the Hands of a Consignee or Endorsee for valuable Consideration representing Goods to have been shipped on board a Vessel shall be conclusive Evidence of such Shipment as against the Master or other Person signing the same, notwithstanding that such Goods or some Part thereof may not have been so shipped, unless such Holder of the Bill of Lading shall have had actual Notice at the Time of receiving the same that the Goods had not been in fact laden on board: Provided, that the Master or other Person so signing may exonerate himself in respect of such Misrepresentation by showing that it was caused without any Default on his Part, and wholly by the Fraud of the Shipper, or of the Holder, or some Person under whom the Holder claims.

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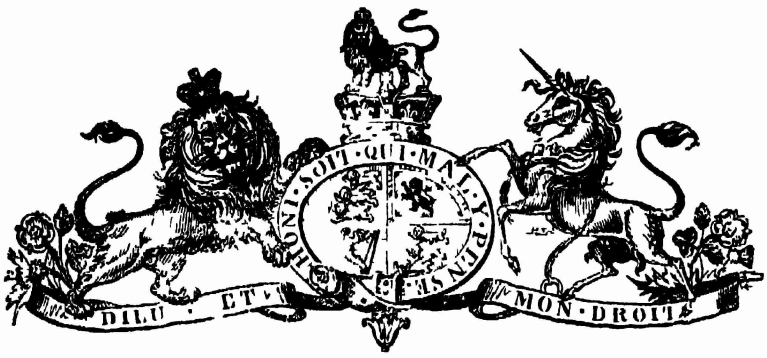

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Recited Act continued.

I. The said first-recited Act shall be and continue in full Force and Effect until the First Day of *July* One thousand eight hundred and fifty-six.

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CAP. CXIII.

An Act to extend the Provisions of an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for rebuilding the Bridge over the River *Ness* at *Inverness*. [14th *August* 1855.]

WHEREAS by an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-six, "for rebuilding the Bridge over "the River *Ness* at the Town of *Inverness*, and improving the Ap- "proaches thereto, and for amending the Acts relating to Highland "Roads and Bridges," after Provision for the Application of a Sum of Seven thousand seven hundred Pounds towards the Expense of erecting the said Bridge, it was enacted, that it should be lawful for the Commissioners of Her Majesty's Treasury to advance by way of Loan to the Commissioners of Highland Roads and Bridges, for the Purposes of the said Act, any further Sum not exceeding Ten thousand seven hundred Pounds out of the growing Produce of the Consolidated Fund, to be repaid, with Interest, in manner thereinafter provided, and that there should, upon the Advance by the said Commissioners of the Treasury of all or any Part of the said Loan of Ten thousand seven hundred Pounds, be appropriated to the Repayment of the Sum advanced and Interest thereof such Parts of the 14 & 15 Vict. c. 66.

Sums allotted to the Counties of *Inverness*, *Ross*, *Sutherland*, and *Caithness*, out of an annual Grant of Five thousand Pounds, in the said Act mentioned, as would produce an annual Payment at the Rate of Six Pounds Ten Shillings for every One hundred Pounds of the Sum so advanced, and so in proportion for any lesser Amount, and such annual Payment should be made for the Term of Twenty-two Years, to be computed from the Sixth Day of *April* or Tenth Day of *October* which should first happen after such Advance, and further Provisions are therein contained concerning such annual Payment, and for the Deduction thereof from the Sums allotted to the said Counties, and to provide for the Deficiency to arise by such Deductions: And whereas the Expense of erecting the said Bridge having exceeded the estimated Amount thereof it is expedient that further Public Assistance should be afforded towards defraying such Expense upon the Conditions herein-after expressed: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Application of Monies provided by Parliament.

I. Any Monies to be provided by Parliament for that Purpose shall be applied by the said Commissioners of Highland Roads and Bridges, under the Direction of the Commissioners of Her Majesty's Treasury, towards defraying the Expense of erecting the said new Bridge by the said Act authorized to be made and maintained.

Treasury authorized to advance 3,000*l.* by way of Loan.

II. It shall be lawful for the Commissioners of Her Majesty's Treasury to advance by way of Loan to the said Commissioners of Highland Roads and Bridges, towards defraying the Expense of erecting the said Bridge, any further Sum not exceeding Three thousand Pounds, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and such Sum shall be repaid, with Interest, in the Manner herein-after provided.

Sums advanced under this Act to be repaid, with Interest, from the County Allotments.

III. Upon the Advance of the said Commissioners of the Treasury of all or any Part of the said Loan of Three thousand Pounds, there shall be appropriated to Repayment of the Sum advanced, and Interest thereof, such Parts of the Sums allotted as in the said Act mentioned to the said Counties of *Inverness*, *Ross*, *Sutherland*, and *Caithness*, out of the said annual Grant of Five thousand Pounds, as will produce an annual Payment at the Rate of Six Pounds Ten Shillings for every One hundred Pounds of the Sum so advanced, and so in proportion for any lesser Amount, such annual Payment to be made for the Term of Twenty-two Years; and all the Provisions of the said Act of the Fourteenth and Fifteenth Years of Her Majesty with reference to the said Sum of Ten thousand seven hundred Pounds, and

Provisions of 14 & 15 Vict. c. 66. concerning

Inverness Bridge.

and the Charges of the annual Payments in respect thereof, and the Deduction of such annual Payments from the Sums allotted to the said Counties, and for supplying the Deficiency to arise by such Deductions, shall be extended and shall be applicable to the said Sum of Three thousand Pounds to be advanced by way of Loan under this Act, and the Charges of the annual Payments in respect thereof, and the Deduction of such annual Payments from the Sums allotted to the said Counties, and for supplying the Deficiency to arise from such last-mentioned Deductions.

former Loan extended to the Loan to be advanced under this Act.

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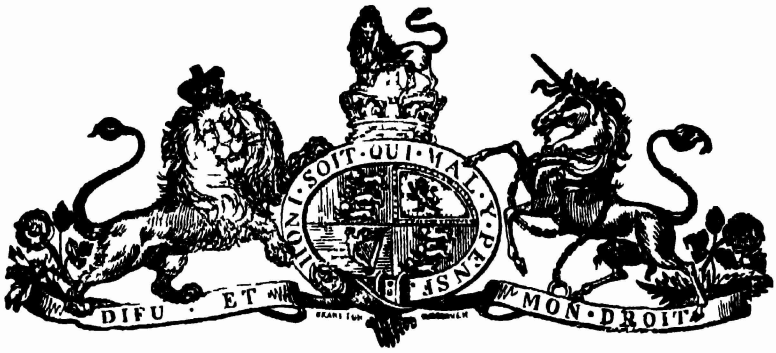

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VICTORIÆ REGINÆ.

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or Place, (if they shall think proper so to do, after examining upon Oath all necessary Parties,) to transfer, by Endorsement thereon, any and every such Licence as aforesaid then in force, to any Person, not disqualified by Law, to whom it shall be proposed at the Time of such Application to transfer any such Licence, to use, exercise, and carry on the Business of a Licensed Victualler at the same House and on the same Premises, and there to sell such Exciseable Liquors as might theretofore have been lawfully sold and retailed therein; and thereupon it shall be lawful for such Person so to use, exercise, and carry on the said Business at such House and Premises, until the Quarter Sessions of the Peace which shall be holden for the same County, Riding, Division, Liberty, City, Town, or Place next after the Expiration of One Calendar Month from the Time of such Transfer, and no longer.

Nothing to empower any Justice at Petty Sessions to make any Transfer within the District of the Dublin Metropolis.

II. Provided always, That nothing herein contained shall be construed to empower any Justices at Petty Sessions to make any such Transfer as aforesaid, within any of the Divisions assigned or to be assigned to any of the Police Courts already established or to be established within the District of *Dublin* Metropolis, but that any such Application as is herein-before authorized to be made at Petty Sessions shall, when the licensed House and Premises shall be situated within any of the said Divisions of the Police District of *Dublin* Metropolis, be made to One of the Police Magistrates sitting at any of the said Courts, and such Magistrate shall, in his Discretion, make any such Transfer as aforesaid, in the Manner and for the Time herein-before mentioned: Provided also, that any Person who shall be authorized under the Provisions of this Act to continue to carry on the Business of a Licensed Victualler shall, after the obtaining such Authority, and so long as the same shall continue in force, be subject to all the Powers, Regulations, Proceedings, Penalties, and Provisions declared by or contained in any Act or Acts in force touching the Regulation, Government, or Control of Licensed Keepers of Inns, Alehouses, and Victualling Houses, in like Manner as if the same had been repeated and re-enacted in this Act, and that all Penalties and Forfeitures imposed by any such Act or Acts shall be applied as directed by the same respectively.

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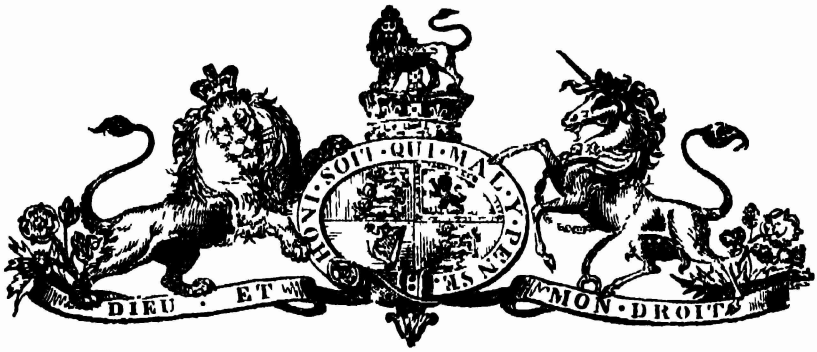

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VICTORIÆ REGINÆ

CAP. CXV.

An Act to continue and amend the Public Health Act (1854). [14th *August* 1855.]

WHEREAS by the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Ninety-five, "to make better Provision for the Administration of the Laws relating to the Public Health," a Board was constituted, to be called "The General Board of Health," and it was thereby provided that the said Board should be continued for One Year next after the Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament, and by the said Act the said Board were authorized to appoint a Secretary and Assistant Secretary, and such Clerks and Officers of the Board, and also so many Superintending Inspectors under such Board, as the Commissioners of Her Majesty's Treasury might think fit, every Person so appointed to be removable at the Pleasure of the said Board: And whereas it is expedient that the said Board should be continued, and should have Power to appoint a Medical Council and a Medical Officer: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. On

Public Health Act (1854) *Continuance and Amendment.*

General Board to be continued for One Year, &c.

I. On the passing of this Act, so much of the said Act as limits the Duration of the Board of Health shall be repealed, and the said Board shall be continued for One Year next after the Day of the passing of this Act, and thenceforth until the End of the then next Session of Parliament, and no longer.

Power to General Board to appoint, with Consent of Treasury, Medical Council and Medical Officer.

II. The said Board may appoint a Medical Council, consisting of such Number of Persons as the said Board, with the Consent of the Commissioners of Her Majesty's Treasury, may deem expedient, and may appoint a Medical Officer, and may assign to such Council and Medical Officer such Duties as the Board may think fit; they may remove any Member of such Council, or such Officer, and appoint another Person in his Stead; and they may diminish, or, with the Consent of the Commissioners of Her Majesty's Treasury, increase, the Number of such Council.

Treasury to fix Salaries.

III. There shall be paid to the Members of the said Medical Council, and to the said Medical Officer such Fees or Salaries as may from Time to Time be appointed by the Commissioners of Her Majesty's Treasury; and in the Case of such Medical Officer there may be allowed, in addition to his Salary, such reasonable travelling and other Expenses as may be incurred by him in the Performance of the Duties of his Office.

Salaries, &c., how to be paid.

IV. All Fees and Salaries payable under this Act, and all incidental Expenses of the said General Board, shall be paid out of such Monies as shall be provided by Parliament.

Short Title.

V. This Act may be cited for all Purposes as "The General Board of Health Continuance Act, 1855."

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VICTORIÆ REGINÆ.

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CAP. CXVI.

An Act for the better Prevention of Diseases.

[14th *August* 1855.]

WHEREAS the Provisions of "The Nuisances Removal and Diseases Prevention Act, 1848," amended by "The Nuisances Removal and Diseases Prevention Amendment Act, 1849," in so far as the same relate to the Prevention or Mitigation of epidemic, endemic, or contagious Diseases, are defective, and it is expedient to substitute other Provisions more effectual in that Behalf: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as the "Diseases Prevention Act, 1855."

Local Authority for Execution of Act.

II. The Local Authority for executing this Act shall be the Local Authority acting in execution of any general Act in force for the Time being for the Removal of Nuisances.

Expenses of Act.

III. The Expenses incurred in execution of this Act shall be borne out of the Rates or Funds administered by such Local Authority, under the Provisions and for the Purposes of any such general Act as is referred to in the preceding Section.

IV. The

Power of Entry.

IV. The Local Authority and their Officers shall have Power of Entry for the Purposes of this Act, and for executing or superintending the Execution of the Regulations and Directions of the General Board issued under this Act.

Power to Privy Council to issue Orders that Provisions herein contained for Prevention of Diseases may be put in force.

V. Whenever any Part of *England* appears to be threatened with or is affected by any formidable epidemic, endemic, or contagious Disease, the Lords and others of Her Majesty's most Honourable Privy Council, or any Three or more of them, (the Lord President of the Council or One of Her Majesty's Principal Secretaries of State being One,) may, by Order or Orders to be by them from Time to Time made, direct that the Provisions herein contained for the Prevention of Diseases be put in force in *England*, or in such Parts thereof as in such Order or Orders respectively may be expressed, and may from Time to Time, as to all or any of the Parts to which any such Order or Orders extend, and in like Manner, revoke or renew any such Order; and, subject to Revocation and Renewal as aforesaid, every such Order shall be in force for Six Calendar Months, or for such shorter Period as in such Order shall be expressed; and every such Order of Her Majesty's Privy Council, or of any Members thereof, as aforesaid, shall be certified under the Hand of the Clerk in Ordinary of Her Majesty's Privy Council, and shall be published in the *London Gazette;* and such Publication shall be conclusive Evidence of such Order, to all Intents and Purposes.

Power to General Board of Health to issue Regulations to carry out such Provisions.

VI. From Time to Time after the issuing of any such Order as aforesaid, and whilst the same continues in force, the General Board of Health may issue Directions and Regulations, as the said Board think fit—

For the speedy Interment of the Dead:

For House to House Visitation:

For the dispensing of Medicines, guarding against the Spread of Disease, and affording to Persons afflicted by or threatened with such epidemic, endemic, or contagious Diseases such medical Aid and such Accommodation as may be required:

Local Extent and Duration of Regulations of General Board.

And from Time to Time, in like Manner, may revoke, renew, and alter any such Directions and Regulations as to the said Board appears expedient, to extend to all Parts in which the Provisions of this Act for the Prevention of Disease shall for the Time being be put in force under such Orders as aforesaid, unless such Directions and Regulations be expressly confined to some of such Parts, and then to such Parts as therein are specified; and (subject to the Power of Revocation and Alteration herein contained) such Directions and Regulations shall continue in force so long as the said Provisions of this Act shall, under such Order, be applicable to the same Parts.

VII. Every

VII. Every such Direction and Regulation as aforesaid, when issued, shall be published in the *London Gazette*, and the Gazette in which such Direction or Regulation was published shall be conclusive Evidence of the Direction or Regulation so published, to all Intents and Purposes.

Publication of such Regulations.

VIII. The Local Authority shall superintend and see to the Execution of such Directions and Regulations, and shall appoint and pay such Medical or other Officers or Persons, and do and provide all such Acts, Matters, and Things, as may be necessary for mitigating such Disease, or for superintending or aiding in the Execution of such Directions and Regulations, or for executing the same, as the Case may require.

The Local Authority to see to the Execution of such Regulations, &c.;

IX. The Local Authority may from Time to Time direct any Prosecutions or legal Proceedings for or in respect of the wilful Violation or Neglect of any such Direction and Regulation.

and may direct Prosecutions for violating the same.

X. Every Order of Her Majesty's Privy Council, and every Direction and Regulation of the General Board of Health, under this Act, shall be laid before both Houses of Parliament, forthwith upon the issuing thereof, if Parliament be then sitting, and if not then within Fourteen Days next after the Commencement of the then next Session of Parliament.

Orders of Council, Directions, and Regulations to be laid before Parliament.

XI. Orders in Council issued in pursuance of this Act for putting in force the Provisions for the Prevention of Disease in the said Nuisances Removal and Diseases Prevention Acts contained, in *Great Britain*, may extend to Parts and Arms of the Sea lying within the Jurisdiction of the Admiralty; and the Board of Health for *England* may issue under this Act Directions and Regulations for cleansing, purifying, ventilating, and disinfecting, and providing medical Aid and Accommodation, and preventing Disease in Ships and Vessels, as well upon Arms and Parts of the Sea aforesaid as upon inland Waters.

Order in Council may extend to Parts and Arms of the Sea.

XII. Whenever, in compliance with any Regulation of the General Board of Health, which they may be empowered to make under this Act, any Medical Officer appointed under and by virtue of the Laws for the Time being for the Relief of the Poor shall perform any Medical Service on board of any Vessel, such Medical Officer shall be entitled to charge extra for any such Service, at the general Rate of his Allowance for his Services for the Union or Place for which he is appointed, and such Charges shall be payable by the Captain of the

Medical Officer of Unions and others entitled to Costs of attending Sick on board Vessels, when required by Orders of

General Board of Health.

the Vessel, on behalf of the Owners, together with any reasonable Expenses for the Treatment of the Sick; and if such Services shall be rendered by any Medical Practitioner who is not a Union or Parish Officer, he shall be entitled to Charges for any Service rendered on board, with extra Remuneration on account of Distance, at the same Rate as those which he is in the habit of receiving from private Patients of the Class of those attended and treated on Shipboard, to be paid as aforesaid; and in case of Dispute in respect of such Charges, such Dispute may, where the Charges do not exceed Twenty Pounds, be determined summarily, at the Place where the Dispute arises, as in case of Seamen's Wages not exceeding Fifty Pounds, according to the Provisions of the Law in that Behalf for the Time being in force; and any Justice before whom Complaint is made shall determine summarily as to the Amount which is reasonable, according to the accustomed Rate of Charge within the Place for Attendance on Patients of the like Class or Condition as those in respect of whom the Charge is made.

Authentication of Directions and Regulations of General Board of Health.

XIII. The Directions and Regulations of the General Board of Health under this Enactment shall be under the Seal of the said Board, and the Hand of the President or Two or more Members thereof; and any Copy of such Regulations purporting to bear such Seal and Signature, whether the said Signature and Seal be respectively impressed and written, or printed only, shall be Evidence in all Proceedings in which such Regulations may come in question.

Penalty for obstructing Execution of Act.

XIV. Whoever wilfully obstructs any Person acting under the Authority or employed in the Execution of this Act, and whosoever wilfully violates any Direction or Regulation issued by the General Board of Health as aforesaid, shall be liable for every such Offence to a Penalty not exceeding Five Pounds, to be appropriated in or towards the defraying the Expenses of executing this Act.

Certain Provisions of Nuisances Removal Act to apply to this Act.

XV. The Provisions of any general Act in force for the Removal of Nuisances, with regard to the Service of Notices, the Proof of Orders or Resolutions of the Local Authority, and the Recovery of Penalties, shall extend and apply to this Act.

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CAP. CXVII.

An Act for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance. [14th *August* 1855.]

WHEREAS by various Acts of Parliament, and particularly by an Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Ninety-four, and by another Act of the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Sixty-seven, various Powers and Authorities were given to or vested in and exercisable by the Principal Officers of Her Majesty's Ordnance, and by the said Acts, and by or under divers Conveyances, Surrenders, Assignments, and Leases, or by some other Means, divers Lands, Hereditaments, Estates, and Property purchased, taken, used, and occupied for the Ordnance and Barrack Services throughout the United Kingdom before and at the Time of the Revocation by Her Majesty next herein-after mentioned, were vested in the said Principal Officers; And whereas Her Majesty hath thought fit to revoke the Letters Patent of some of the said Principal Officers, and by other Letters Patent to transfer to One of Her Majesty's Principal Secretaries of State the Administration of the Department the Duties of which were previously executed by the said Principal Officers of Her Majesty's Ordnance: And whereas it is expedient that the said several Powers and Authorities, and the said

5 & 6 Vict. c. 94.

17 & 18 Vict c. 67.

Lands, Hereditaments, Estates, and Property, and all Title, Estate, and Interest therein respectively, should be also transferred from the said Principal Officers, and vested in One of Her Majesty's Principal Secretaries of State: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers, &c. vested in the Principal Officers of the Ordnance to be transferred to Her Majesty's Secretary of State for the War Department.

I. All the Powers, Authorities, Rights, and Privileges whatsoever, which by virtue of the said recited Acts or either of them, or of any other Act or Acts of Parliament, or of any other Law, Custom, or Usage whatsoever have been or were at any Time vested in or exercised or exercisable by the Principal Officers of Her Majesty's Ordnance, or any of them, shall from henceforth continue in full Force, and shall be and the same are hereby declared to be transferred to and vested in and exercisable by Her Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department, and such last-mentioned Principal Secretary of State shall be entitled to the same Exemption from personal Responsibility as the said Principal Officers were entitled to.

All Lands, &c. vested in such Officers vested in the said Secretary of State.

II. All Lands, Hereditaments, Estates, and Property whatsoever which by virtue of the said recited Acts or either of them, or of any other Act or Acts of Parliament, or of any Conveyance, Surrender, Lease, or other Assurance, or of any Law, Custom, or Usage whatsoever, before and at the Time of the Revocation by Her Majesty herein-before mentioned were vested in the Principal Officers of the Ordnance, on behalf of Her Majesty, or which have been at any Time before the passing of this Act held, used, or occupied, or purchased, vested, or taken, by or in the Name of or by any Person or Persons in trust for Her Majesty, for the Use and Service of the said Department or for the Defence and Security of the Realm, and which have not been sold, aliened, or parted with, shall from henceforth be and the same are hereby declared to be transferred to and vested in the last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty; and when and so often as the said last-mentioned Principal Secretary of State, and any succeeding Principal Secretary of State to whom Her Majesty shall have intrusted the Seals of the War Department, shall cease to hold such Office, the said several Lands, Hereditaments, Estates, and Property, and all Lands, Hereditaments, Estates, and Property which hereafter shall be purchased or otherwise acquired by any such last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty, shall by virtue of this Act be absolutely divested out of such Secretary of State so ceasing to hold such Office as aforesaid, and shall by virtue of this Act be transferred to and vested in his Successor in the said Office, immediately upon his receiving the Seals of the said Department, absolutely; and the said Lands, Hereditaments, Estates, and Property hereby vested and hereafter

hereafter to be vested in the said last-mentioned Principal Secretary of State and his Successors shall, as to such of them as were or shall have been purchased, or are or shall be held for an Estate of Inheritance in Fee Simple, be so vested in such last-mentioned Principal Secretary of State and his Successors in the same Manner as if the Fee Simple thereof had been originally conveyed to such Principal Secretary of State as a Corporation Sole and his Successors; and as to all Lands, Hereditaments, and Property purchased or held for any less Estate than an Estate of Inheritance in Fee Simple, as if the same Lands, Hereditaments, and Property had been originally conveyed, surrendered, demised, or otherwise assured to such Principal Secretary of State as a Corporation Sole, and his Successors, for all the existing Estates or Interests therein respectively, and so from Time to Time; nevertheless, with respect to all Lands or Hereditaments of Copyhold or Customary Tenure, the same shall, for the Purpose mentioned in the Eighth Section of the first-mentioned Act, (*videlicet*, the said Act of the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Ninety-four,) remain vested in or be surrendered to some Person to be approved of or named by the last-mentioned Principal Secretary of State for the Time being as Tenant thereof.

Contracts, &c. made by the Principal Officers relating to the Public Service to be enforced by such Secretary of State.

III. All Contracts, Covenants, and Agreements heretofore made or entered into by any Person or Persons whomsoever with the said Principal Officers of the Ordnance, or any Person or Persons on their Behalf, as to or concerning any Lands, Hereditaments, Estates, and Property vested in or agreed to be purchased by the said Principal Officers, or in anywise relating to the Public Service, shall be deemed and taken to have been made or entered into with such Principal Secretary of State as last aforesaid, and shall be executed and enforced by him in like Manner as if he had originally been Party thereto instead of the said Principal Officers of the Ordnance; and all Proceedings whatsoever which have been or might or may have been commenced, taken, or done in the Names of the said Principal Officers, on behalf of Her Majesty, shall and may hereafter be commenced, continued, taken, and done in the Name of such Principal Secretary of State as aforesaid, in like Manner (in the Case of Proceedings already commenced, taken, or done,) as if he had originally been Party thereto, instead of the said Principal Officers of the Ordnance.

Powers given by 10th and 18th Sections of 5 & 6 Vict. c. 94 to Bodies Corporate, &c. to sell, to be exercised by such Secretary of State.

IV. All Powers by the Tenth and Eighteenth Sections of the said first-mentioned Act given to Bodies Politic or Corporate, Feoffees or Trustees for charitable or other public Purposes, Tenants for Life and Tenants in Tail, Husbands, Guardians, Trustees, Committees, Curators, and Attornies, respectively therein mentioned, to contract and agree for the absolute Sale or Exchange of any Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Manors, Lands, Tenements, or Hereditaments, and for the Sale of any Reversion, and

and the Grant of any Lease, and to convey, surrender, demise, or grant the same accordingly, shall continue in full Force, and hereafter may or shall be exercised or exercisable, and be acted under or take effect, in favour or at the Instance of the last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty, and for the Public Service, in the same Manner and as effectually as the said Powers are in and by such recited Acts given or created or made exercisable in favour or at the Instance of the said Principal Officers for the Time being on behalf of Her said Majesty, or for the Public Service, and all Enactments, Directions, and Provisions in the said recited Acts contained shall continue in full Force, and may or shall at all Times hereafter be by the last-mentioned Principal Secretary of State for the Time being acted on and take effect, and shall enure or take effect in favour of, and may be enforced by, such last-mentioned Principal Secretary and his Successors, on behalf of Her Majesty, and for the Public Service.

Such Secretary of State to be described in Conveyances, &c. as "Her Majesty's Principal Secretary of State for the War Department."

V. In every Contract, Conveyance, Surrender, Lease, or other Assurance of any Lands, Hereditaments, Estates, or Property, with, unto, or by the last-mentioned Principal Secretary of State for the Time being, and in every other Deed or Instrument relating to any Lands, Hereditaments, Estates, or Property, or in anywise to the Public Service, to which the last-mentioned Principal Secretary of State for the Time being shall be or shall be intended to be a Party, it shall be sufficient to call or describe him by the Style or Title of "Her Majesty's Principal Secretary of State for the War Department," without naming him; and every such Contract, Conveyance, Surrender, Lease, Assurance, Deed, or Instrument may be executed by such last-mentioned Principal Secretary of State, or by any other of Her Majesty's Principal Secretaries of State for the Time being, by signing his Name thereto, and if the Instrument so executed be in the Form of a Deed by setting or affixing a Seal thereto and delivering the same as his Deed; and whenever any Contract, Conveyance, Surrender, Lease, Assurance, Deed, or Instrument shall be executed by any other Principal Secretary of State than the Principal Secretary of State for the War Department the Principal Secretary of State so executing the same shall for that Time and on that Occasion, and for the Purposes thereof, be deemed to be the Principal Secretary of State for the War Department.

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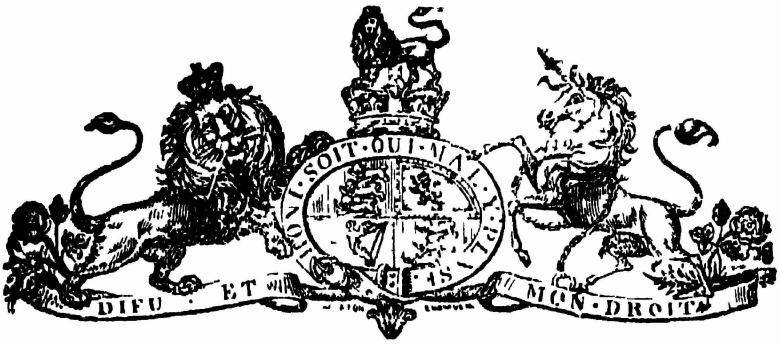

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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from opening Houses for Sale of Beer, &c. during certain Hours of Sunday, &c.

be drunk on the Premises, or any Person licensed or authorized to sell any fermented or distilled Liquors, or any Person who by reason of the Freedom of the Mystery or Craft of Vintners of the City of *London*, or of any Right or Privilege, shall claim to be entitled to sell Wine by Retail, to be drunk or consumed on the Premises, in any Part of *England* or *Wales*, to open or keep open his House for the Sale of or to sell Beer, Wine, Spirits, or any other fermented or distilled Liquor between the Hours of Three and Five o'Clock in the Afternoon, nor after Eleven o'Clock in the Afternoon on *Sunday*, or on *Christmas Day*, or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sunday*, *Christmas Day*, *Good Friday*, or such Days of Public Fast or Thanksgiving, except to a Traveller or to a Lodger therein.

Houses of public Resort prohibited being opened for Sale of Liquors during certain Hours on Sundays, &c.

III. No Person shall open any House or Place of public Resort for the Sale of fermented or distilled Liquors, or sell therein such Liquors, in any Part of *England* or *Wales*, between Three and Five o'Clock in the Afternoon or after Eleven o'Clock in the Afternoon on *Sunday*, or on *Christmas Day* or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sundays*, *Christmas Day*, *Good Friday*, or such other Days appointed as aforesaid, except to Travellers.

Power to Constables to enter Houses.

IV. It shall be lawful for any Constable at any Time to enter into any House or Place of public Resort in *England* or *Wales* for the Sale of Beer, Wine, Spirits, or other fermented or distilled Liquor or Liquors; and every Person who shall refuse to admit or shall not admit such Constable into such House or Place shall be deemed guilty of an Offence against this Act.

Penalty for Offences against this Act.

V. Every Person who shall offend against this Act shall be liable, upon a summary Conviction for the same before any Justice of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where the Offence shall be committed, to a Penalty not exceeding Five Pounds for every such Offence, and every separate Sale shall be deemed a separate Offence.

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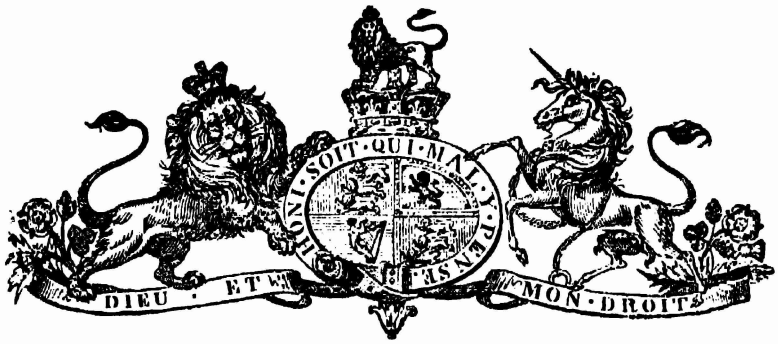

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and fifty-two, in pursuance of the Powers given by the Fifty-fifth Section of the said Act, which said Order in Council shall remain in force until altered or revoked by any Order in Council to be made under the Provisions of this Act.

Short Title of this Act; and in legal Proceedings Reference to Sections of this Act by Number to be sufficient.

II. In citing this Act in other Acts of Parliament, or in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Passengers Act, 1855;" and in any Process for enforcing the Remedies or Penalties given or imposed by this Act, it shall be sufficient, without specifying more particularly the Cause of Complaint or Offence, to refer by Number, according to the Copies of the Act printed by the Queen's Printer, to the Section or Sections under which the Proceeding is taken.

Definition of Terms used in this Act.

III. For the Purposes of this Act, the following Words and Expressions, whenever they occur, shall respectively have the following Significations, if not inconsistent with the Context or Subject Matter; (that is to say,) Words of one Number or Gender shall import both Numbers and all Genders respectively; the Expression "Her Majesty" shall include Her Heirs and Successors; the Expression "Consular Officer" shall signify and include Her Majesty's Consul General, Consul, and Vice Consul; the Expression "United Kingdom" shall signify *Great Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, *Scilly*, and *Man*; the Expression "*North America*" shall signify and include the *Bermudas*, and all Ports and Places on the Eastern Coast of the Continent of *North America*, or in the Islands adjacent or near thereto, or in the Gulf of *Mexico* North of the Tropic of Cancer; the Expression "*West Indies*" shall signify the *West India* Islands, the *Bahamas*, *British Guiana*, and *Honduras*; the Expression "Governor" shall signify the Person who for the Time being shall be lawfully administering the Government of any *British* Colony in which he may be acting; the Expression "Statute Adult" shall signify any Person of the Age of Twelve Years or upwards, or Two Persons between the Ages of One and Twelve Years; the Expression "Passage" shall include all Passages except Cabin Passages; the Expression "Passengers" shall include all Passengers except Cabin Passengers, and except Labourers under Indenture to the *Hudson's Bay* Company, and their Families, conveyed in Ships the Property of or chartered by the said Company, and no Persons shall be deemed Cabin Passengers unless the Space allotted to their exclusive Use shall be in the Proportion of at least Thirty-six clear Superficial Feet to each Statute Adult, nor unless they shall be messed throughout the Voyage at the same Table with the Master or First Officer of the Ship, nor unless the Fare contracted to be paid by them respectively shall be in the Proportion of at least Thirty Shillings for every Week of the Length of the Voyage

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as computed under the Provisions of this Act for Sailing Vessels proceeding from the United Kingdom to any Place South of the Equator, and of Twenty Shillings for such Vessels proceeding to any Place North of the Equator, nor unless they shall have been furnished with a duly signed Contract Ticket according to the Form in Schedule (K.) of this Act; the Expression "Upper Passenger Deck" shall signify and include the Deck immediately beneath the Upper Deck, or the Poop or Round House and Deck House when the Number of Passengers and Cabin Passengers carried in such Poop, Round House, or Deck House shall exceed One Third of the total Number of Passengers which such Ship can lawfully carry on the Deck next below; the Expression "Lower Passenger Deck," the Deck next beneath the Upper Passenger Deck, not being an Orlop Deck; the Expression "Ship" shall signify any Description of Sea-going Vessel, whether *British* or Foreign; the Expression "Passenger Ship" shall signify every Description of such Ship carrying upon any Voyage to which the Provisions of this Act shall extend more than Thirty Passengers, or a greater Number of Passengers than in the Proportion of One Statute Adult to every Fifty Tons of the registered Tonnage of such Ship if propelled by Sails, or of One Statute Adult to every Twenty-five Tons if propelled by Steam; the Expression "Master" shall signify the Person who shall be borne on the Ship's Articles as Master, or who, other than a Pilot, shall for the Time being be in charge or command of any such Ship or "Passenger Ship;" and the Expression "Emigrant Runner" shall signify every Person other than a licensed Passage Broker or his *bonâ fide* salaried Clerk, who within any Port or Place of Shipping, or within Five Miles of the outer Boundaries thereof, for Hire or Reward, or the Expectation thereof, shall directly or indirectly conduct, solicit, influence, or recommend any intending Emigrant to or on behalf of any Passage Broker, Owner, Charterer, or Master of a Ship, Lodging House or Tavern or Shop Keeper, Money Changer, or other Dealer or Chapman, for any Purpose connected with the Preparations or Arrangements for a Passage, or shall give or pretend to give to such intending Emigrant any Information or Assistance in any way relating to Emigration.

To what Vessels and Voyages this Act extends.

IV. This Act shall extend to every "Passenger Ship" proceeding on any Voyage from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, and on every Colonial Voyage as herein-after described, and, in the Particulars mentioned or referred to in Sections One hundred, One hundred and one, and One hundred and two, to every Ship bringing Passengers into the United Kingdom from any Place out of *Europe* and not being within the *Mediterranean Sea;* but shall not extend to any of Her Majesty's Ships of War, nor to any Ships in the Service of

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of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, nor to any Ship of War or Transport in the Service of the *East India* Company, nor to any Steam Vessel regularly employed in the Conveyance of the Public Mails under an existing Contract with the Government of the State or Colony to which such Steam Vessel may belong, provided the Master thereof shall, on Demand, produce to the Emigration Officer at the Port of Clearance or Port of Departure a Certificate of Exemption, in the Form given in Schedule (A.) hereto annexed, under the Hand of the Postmaster General of the United Kingdom, or of some Person deputed by him for the Purpose, or in the Case of a Colony, under the Hand of the Governor thereof, or in the Case of a Foreign State, under the Hand of the Postmaster General or other competent Government Officer whose Signature shall be authenticated by the Signature of a *British* Consular Officer in such Foreign State.

Penalty on fraudulently using Certificates or using fraudulent Certificates.

V. Such Certificate of Exemption shall be issuable at the Discretion of the Officer authorized to grant the same as herein-before mentioned, and shall remain in force for the Period specified therein, unless sooner revoked, or unless the Vessel for which it shall have been issued shall sooner cease to be employed in carrying the Public Mails; and if any Person shall make or attempt to make any fraudulent Use of any such Certificate, or shall forge, counterfeit, alter, or erase the whole or any Part thereof, or shall use or attempt to use any spurious or fraudulent Certificate, the Person so offending, and every Person aiding and abetting in such Offence, shall be liable to a Penalty not exceeding Five hundred Pounds Sterling, and the Vessel for which the Exemption is claimed shall not be cleared out until all the Requirements of this Act have been complied with.

Commissioners of Emigration to carry this Act into execution.

VI. And whereas by a Warrant under Her Majesty's Sign Manual, bearing Date on the Twenty-seventh Day of *November* One thousand eight hundred and forty-seven, Her Majesty was pleased to appoint certain Persons therein named under the Style of "The Colonial Land and Emigration Commissioners," to be, during Her Majesty's Pleasure, Commissioners in the United Kingdom for the Sale of the Waste Lands of the Crown of Her Majesty's Colonies, and for superintending the Emigration of the poorer Classes of Her Majesty's Subjects to such Colonies: And whereas it is expedient that such Commissioners should be empowered to carry this Act into execution: Be it therefore enacted, That the said Commissioners, and their Successors for the Time being, shall and they are hereby empowered to carry this Act into execution; and that for all legal and other Purposes it shall be sufficient to describe such Commissioners by the Style of "The Emigration Commissioners."

VII. The

Passengers Act Amendment.

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Emigration Commissioners may sue and be sued in the Name of their Secretary, &c.

VII. The said Emigration Commissioners for the Time being may sue and be sued in the Name of their Secretary, or of any One of such Commissioners for the Time being, and legal or equitable Proceedings taken by or against the said Commissioners in the Name of any One of them or of their Secretary shall not abate nor be discontinued by the Death or Removal of such Secretary or Commissioner, but the Secretary for the Time being, or any One of such Commissioners, shall always be deemed to be the Plaintiff or Defendant (as the Case may be) in any such Proceedings: Provided always, that the said Commissioners and their Secretary, and the Emigration Officers herein-after mentioned respectively, shall in no Case be personally liable, nor shall the private Estate and Effects of any of them be liable, for the Payment of any Monies or Costs or otherwise in respect of any Contract made or hereafter to be made by them or any of them, or in respect of any legal or equitable Proceedings taken against them or any of them, or for any Act, Deed, or Matter done or executed by them or any of them in their or his official Capacity and on the Public Service.

Commissioners, &c. exempt from Liability.

Emigration Officers and Assistants to act under the Commissioners, &c., but existing Appointments to continue until revoked.

VIII. In the United Kingdom the said Commissioners acting under the Sanction of One of Her Majesty's Principal Secretaries of State, and in Her Majesty's Possessions abroad the respective Governors thereof, may from Time to Time appoint, and the said Commissioners and Governors may at pleasure from Time to Time remove, such Emigration Officers and Assistant Emigration Officers as they may respectively think necessary, for the Purpose of carrying this Act into execution, under the Direction of the said Commissioners or Governors, as the Case may be: Provided nevertheless, that all existing Appointments of Emigration Officers or Immigration Agents and of their Assistants, as well in the United Kingdom as in Her Majesty's Possessions abroad, shall continue in force under this Act until duly revoked.

Duties of Emigration Officer may be performed by his Assistant or by Officer of Customs.

IX. All Powers, Functions, and Duties to be exercised or performed by any such Emigration Officer may be exercised and performed respectively by his Assistant, or, at any Port where there shall be no such Emigration Officer or Assistant, or in their Absence, by the Chief Officer of Customs for the Time being at such Port.

Facilities to be given to the proper Officers for the Inspection of all Ships fitting for Passengers.

X. The Master of every Ship, whether a "Passenger Ship" or otherwise, fitting or intended for the Carriage of Passengers, or which shall carry Passengers upon any Voyage to which this Act extends, shall afford to such Emigration Officer as aforesaid at any Port or Place in Her Majesty's Dominions, and, in the Case of *British* Ships, to Her Majesty's Consular Officer at any Foreign Port or

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Place at which such Ship shall be or arrive, every Facility for inspecting such Ship, and for communicating with the Passengers, and for ascertaining that the Provisions of this Act, so far as the same may be applicable to such Ships, have been duly complied with; the Master of any Ship who shall omit or fail to comply with any of the Requirements of this Section shall be liable to a Penalty not exceeding Fifty Pounds.

Penalty on Master failing to comply, &c.

Arrangements for the Ship.

No Passenger Ship to clear without Certificate from Emigration Officer, nor until Bond be given to the Crown.

XI. No Ship fitted or intended for the Carriage of Passengers as a "Passenger Ship" shall clear out or proceed to Sea until the Master thereof shall have obtained from the Emigration Officer at the Port of Clearance a Certificate of Clearance under his Hand that all the Requirements of this Act, so far as the same can be complied with, before the Departure of such Ship, have been duly complied with, and that such Ship is, in his Opinion, seaworthy, in safe Trim, and in all respects fit for her intended Voyage, and that her Passengers and Crew are in a fit State to proceed, nor until the Master shall have joined in executing such Bond to the Crown as required by the Sixty-third Section of this Act: Provided, that if such Emigration Officer shall refuse to grant such Certificate, and the Owner or Charterer of such Ship shall appeal in Writing to the Emigration Commissioners, such Commissioners shall appoint any Two other Emigration Officers, or any Two competent Persons, at the Expense of the Appellant, to examine into the Matter, and if the Persons so appointed shall grant a Certificate under their joint Hands to the Purport herein-before required, such Certificate shall be held to be of the same Effect as if granted by the Emigration Officer of the Port of Clearance.

Forfeiture of Ship if Master proceeds to Sea without Certificate of Clearance, &c.

XII. If any "Passenger Ship" shall clear out or proceed to Sea without the Master's having first obtained such Certificate of Clearance, or without his having joined in executing such Bond, as by this Act is required, or if such Ship after having sailed shall put into any Port or Place in the United Kingdom in a damaged State, and shall put to Sea again without the Master having first obtained such Certificate of Clearance as required by Section Fifty of this Act, such Ship shall be forfeited to the Use of Her Majesty, and may be seized by any Officer of Customs, if found, within Two Years from the Commission of the Offence, in any Port or Place in Her Majesty's Dominions; and such Ship shall thereupon be dealt with in the same Manner as if she had been seized as forfeited under any of the Laws relating to the Customs for an Offence incurring Forfeiture under those Laws.

Such Ship to be dealt with as if seized under Laws relating to Customs.

Where Passengers may be carried.

XIII. No Ship shall carry Passengers or Cabin Passengers on more than Two Decks; provided, that Cabin Passengers in a Proportion

portion not exceeding One Cabin Passenger for every One hundred Tons of the Ship's registered Tonnage, or sick Persons placed in a Hospital, as herein-after provided, may be carried in a Poop or Deck House, notwithstanding that Passengers are carried on Two other Decks, and if Passengers are carried under the Poop or in any Round House or Deck House, such Poop, Round House, or Deck House shall be properly built and secured to the Satisfaction of the Emigration Officer at the Port of Clearance: For any Breach of this Enactment the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Five hundred Pounds nor less than Twenty Pounds Sterling.

Arrangements for the Ship.

XIV. For determining the Number of Passengers to be carried in any "Passenger Ship" the following Rules shall be observed:

Rule for determining the Number of Passengers to be carried.

(1.) No Ship propelled by Sails only shall carry a greater Number of Persons (including every Individual on board) than in the Proportion of One Statute Adult to every Two Tons of her registered Tonnage:

Tonnage Check.

(2.) No Ship shall carry under the Poop, or in the Round House or Deck House, or on the "Upper Passenger Deck," a greater Number of Passengers than in the Proportion of One Statute Adult to every Fifteen clear Superficial Feet of Deck allotted to their Use:

Space Check.

(3.) No Ship shall carry on her Lower Passenger Deck a greater Number of Passengers than in the Proportion of One Statute Adult to every Eighteen clear Superficial Feet of Deck allotted to their Use: Provided nevertheless, that if the Height between such Lower Passenger Deck and the Deck immediately above it shall be less than Seven Feet, or if the Apertures (exclusive of Side Scuttles) through which Light and Air shall be admitted together to the Lower Passenger Deck shall be less in Size than in the Proportion of Three Square Feet to every One hundred Superficial Feet of the Lower Passenger Deck, no greater Number of Passengers shall be carried on such Deck than in the Proportion of One Statute Adult to every Twenty-five clear Superficial Feet thereof:

(4.) No Ship, whatever be her Tonnage or superficial Space of "Passenger Decks," shall carry a greater Number of Passengers on the whole than in the Proportion of One Statute Adult to every Five Superficial Feet, clear for Exercise, on the upper Deck or Poop, or (if secured and fitted on the Top with a Railing or Guard to the Satisfaction of the Emigration Officer at the Port of Clearance) on any Round House or Deck House:

(5.) In

Arrangements for the Ship.

(5.) In the Measurement of the Passenger Decks, Poop, Round House, or Deck House, the Space for the Hospital and that occupied by such Portion of the personal Luggage of the Passengers as the Emigration Officer may permit to be carried there shall be included:

Penalty.

If there shall be on board of any Ship at or after the Time of Clearance a greater Number, either of Persons or Passengers (except by Births at Sea), than in the Proportions respectively herein-before mentioned, the Master of such Ship shall be liable to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling for each Passenger or Person constituting such Excess.

Nothing to extend to repeal 16 & 17 Vict. c. 84.

XV. Provided nevertheless, That nothing in this Act contained shall extend to repeal or vary an Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Eighty-four, intituled *An Act to amend the Passengers Act*, 1852, *so far as relates to the Passages of Natives of* Asia *or* Africa, *and also Passages between the Island of* Ceylon *and certain Parts of the* East Indies.

Passengers Lists to be delivered in Duplicate by the Master before Clearance.

XVI. The Master of every Ship, whether a "Passenger Ship" or otherwise, carrying Passengers on any Voyage to which this Act extends, shall, before demanding a Clearance for such Ship, sign Two Lists, made out according to the Form contained in Schedule (B.) hereto annexed, correctly setting forth in the Manner therein directed the Name and other Particulars of the Ship, and of every Passenger on board thereof; and the said Lists, when countersigned by the Emigration Officer, where there is One at the Port, shall be delivered by the Master to the Officer of the Customs from whom a Clearance of the said Ship shall be demanded, and such Officer shall thereupon also countersign and return to the said Master One of such Lists, herein-after called "The Master's List;" and the said Master shall note in Writing on such last-mentioned List, and on any additional Lists to be made out as next herein-after provided, the Date and supposed Cause of Death of any Passenger who may die, and the Date of Birth and Sex of any Child who may be born on the Voyage, and shall exhibit such last-mentioned List, with any Additions which may from Time to Time be made thereto, as herein-after directed, to the Chief Officer of Customs at any Port or Place in Her Majesty's Possessions, or to Her Majesty's Consular Officer at any Foreign Port at which the said Passengers or any of them shall be landed, and shall deposit the same with such Chief Officer of Customs or such Consular Officer, as the Case may be, at the final Port or Place of Discharge, and such Officer of Customs or Consular Officer shall thereupon forthwith transmit the Particulars respecting any Passenger who may die, or of any

any Child who may be born on the Voyage to the Registrar General of Births, Deaths, and Marriages in *England*, who shall file the same, and enter a Copy thereof under his Hand, in the "Marine Register Book," which Entry shall be dealt with and be of the same Value as Evidence as any other Entry made in such Book under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England: In case of Noncompliance with any of the Requirements of this Section on the Part of the Master, or if such Lists shall be wilfully false, the Master shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Five Pounds Sterling.

Arrangements for the Ship.

6 & 7 W. 4. c. 86.

XVII. If at any Time after such Lists shall have been signed and delivered as aforesaid any additional Passenger shall be taken on board, in every such Case the Master shall, according to the Form aforesaid, add to "The Master's List" the Names and other Particulars of every such additional Passenger, and shall also sign a separate List, made out according to the Form aforesaid, containing the Names and other Particulars of every such additional Passenger, and such last-mentioned List, when countersigned by the Emigration Officer, where there is One at the Port, shall, together with "The Master's List" to which such Addition shall have been made, be delivered to the Chief Officer of Customs as aforesaid, and thereupon such Officer shall countersign "The Master's List," and shall return the same to the said Master, and shall retain the separate List, and so on in like Manner whenever any additional Passenger or Passengers may be taken on board; or if no Officer of Customs shall be stationed at the Port or Place where such additional Passenger or Passengers may be taken on board, the said Lists shall be delivered to the Officer of Customs at the next Port or Place at which such Vessel shall touch or arrive and where any such Officer shall be stationed, to be dealt with as herein-before mentioned: Provided, that when any additional Passengers shall be taken on board the Master shall obtain a fresh Certificate from the Emigration Officer of the Port that all the Requirements of this Act have been duly complied with before the Ship shall proceed to Sea: In case of Noncompliance with any of the Requirements of this Section, the Master of such Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Lists of Passengers embarked after Clearance to be delivered by Master.

Penalty on Noncompliance.

XVIII. If any Person shall be found on board any Passenger Ship with Intent to obtain a Passage therein without the Consent of the Owner, Charterer, or Master thereof, such Person, and every Person aiding and abetting him in such fraudulent Intent, shall respectively be liable

Penalty on Persons found on board Ships without Consent of Owners, &c.

Arrangements for the Ship.

liable to a Penalty not exceeding Five Pounds, and in default of Payment to Imprisonment, with or without Hard Labour, for a Period not exceeding Three Calendar Months; and such Person so found on board may be taken before any Justice of the Peace, without Warrant, and such Justice may summarily hear the Case, and on Proof of the Offence convict such Offender as aforesaid.

All Passenger Ships to be surveyed before clearing out.

XIX. No "Passenger Ship" shall clear out or proceed to Sea unless she shall have been surveyed, under the Direction of the Emigration Officer at the Port of Clearance, but at the Expense of the Owner or Charterer thereof, by Two or more competent Surveyors to be appointed by the said Emigration Commissioners for each Port at which there may be an Emigration Officer, and for other Ports by the Commissioners of Customs, nor unless it shall be reported by such Surveyors that such "Passenger Ship" is in their Opinion seaworthy, and fit for her intended Voyage. The Survey shall be made before any Part of the Cargo is taken on board, except so much as may be necessary for ballasting the Ship, and such Portion of Cargo if laden on board shall be shifted, if required by the Emigration Officer or Surveyors, so as to expose to view successively every Part of the Frame of the Ship. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Five Pounds Sterling: Provided always, that in case any "Passenger Ship" shall be reported by any such Surveyors not to be seaworthy, or not fit for her said intended Voyage, the Owner or Charterer, if he shall think fit, may require, by Writing under his Hand, the Emigration Officer, or in his Absence the Chief Officer of Customs, to appoint Three other competent Surveyors, of whom Two at least shall be Shipwrights, to survey the said Ship, at the Expense of the said Owner or Charterer; and the said Officer shall thereupon appoint such Surveyors, who shall survey the said Ship, and if they shall, by an unanimous Report under their Hands (but not otherwise), declare the said Ship to be seaworthy, and fit for her intended Voyage, the said Ship shall then, for the Purposes of this Act, be deemed seaworthy for such Voyage.

Penalty on Noncompliance.

Power to Owners to appeal against Surveyors Report of Ships not being seaworthy.

As to the Construction of Beams and Decks.

XX. In every "Passenger Ship" the Beams supporting the "Passenger Decks" shall form Part of the permanent Structure of the Ship: They shall be of adequate Strength, in the Judgment of the Emigration Officer at the Port of Clearance, and shall be firmly secured to the Ship to his Satisfaction. The "Passenger Decks" shall be at least One Inch and a Half in Thickness, and shall be laid and firmly fastened upon the Beams continuously from Side to Side

Side of the Compartment in which the Passengers are berthed. The Height between that Part of any Deck on which Passengers are carried and the Deck immediately above it shall not be less than Six Feet. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Arrangements for the Ship

XXI. There shall not be more than Two Tiers of Berths on any One Deck in any "Passenger Ship," and the Interval between the Floor of the Berths and the Deck immediately beneath them shall not be less than Six Inches, nor the Interval between each Tier of Berths and between the uppermost Tier and the Deck above it less than Two Feet Six Inches: The Berths shall be securely constructed, and of Dimensions not less than Six Feet in Length and Eighteen Inches in Width for each Statute Adult, and shall be sufficient in Number for the proper Accommodation of all the Passengers contained in the Lists of Passengers herein-before required to be delivered by the Master of the Ship. No Part of any Berth shall be placed within Nine Inches of any Water-closet erected in the Between-Decks. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Arrangement and Size of Berths.

XXII. In every "Passenger Ship" all the Male Passengers of the Age of Fourteen Years and upwards who shall not occupy Berths with their Wives shall, to the Satisfaction of the Emigration Officer at the Port of Clearance, be berthed in the fore Part of the Ship, in a Compartment divided off from the Space appropriated to the other Passengers by a substantial and well-secured Bulk-head, without Opening into, or Communication with, any adjoining Passenger Berth, or in separate Rooms if the Ship be fitted with enclosed Berths: Not more than One Passenger, unless Husband and Wife, or Females or Children under Twelve Years of Age, shall be placed in or occupy the same Berth. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Single Men to be berthed in a separate Compartment.

As to Numbers and Sexes in One Berth.

Penalty.

XXIII. No Berths in a "Passenger Ship" occupied by Passengers during the Voyage shall be taken down until Forty-eight Hours after the Arrival of such Ship at the Port of final Discharge, unless all the Passengers shall have voluntarily quitted the Ship before the Expiration of that Time. In case of Noncompliance with any of the Requirements of this Section, the Master of such Ship shall be liable for each

Berths not to be removed till Passengers landed.

Arrangements for the Ship.

each Offence to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Space to be allotted as an Hospital.

XXIV. In every "Passenger Ship" there shall be a sufficient Space properly divided off to the Satisfaction of the Emigration Officer at the Port of Clearance, to be used exclusively as a Hospital or Hospitals for the Passengers: This Space shall be under the Poop, or in the Round House, or in any Deck House which shall be properly built and secured to the Satisfaction of such Emigration Officer, or on the Upper Passenger Deck, and not elsewhere, and shall in no Case be less than Eighteen clear Superficial Feet for every Fifty Passengers which the Ship shall carry. Such Hospitals shall be fitted with Bed-places, and supplied with proper Beds, Bedding, and Utensils, to the Satisfaction of the Emigration Officer at the Port of Clearance, and throughout the Voyage kept so fitted and supplied. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty.

Regulation as to Construction of Privies.

XXV. No "Passenger Ship" shall clear out or proceed to Sea unless fitted, to the Satisfaction of the Emigration Officer at the Port of Clearance, with at least Two Privies, and with Two additional Privies on Deck for every One hundred Passengers on board, and in Ships carrying as many as Fifty Female Passengers, with at least Two Water-closets under the Poop, or elsewhere on the Upper Deck, to the Satisfaction of such Emigration Officer, for the exclusive Use of the Women and young Children; all of which Privies and Water-closets shall be firmly constructed and maintained in a serviceable and cleanly Condition throughout the Voyage, and shall not be taken down until the Expiration of Forty-eight Hours after the Arrival of the Ship at the Port of final Discharge, unless all the Passengers sooner quit the Ship; provided that such Privies shall be placed in equal Numbers on each Side of the Ship, and need not in any Case exceed Twelve in Number. In case of Noncompliance with any of the Requirements of this Section, the Master shall be liable to a Penalty for each Offence not exceeding Fifty Pounds nor less than Five Pounds Sterling.

As to Light and Ventilation.

XXVI. No "Passenger Ship" shall clear out or proceed to Sea without such Provision for affording Light and Air to the Passenger Decks as the Circumstances of the Case may, in the Judgment of the Emigration Officer at the Port of Clearance, require; nor if there are as many as One hundred Passengers on board, without having an adequate and proper ventilating Apparatus, to be approved by such Emigration Officer and fitted to his Satisfaction; the Passengers shall, moreover, have the free and unimpeded Use of the whole of each Hatchway situated over the Space appropriated to their

their Use, and over each such Hatchway there shall be erected such a Boobyhatch or other substantial Covering as shall, in the Opinion of such Emigration Officer, afford the greatest Amount of Light and Air, and of Protection from Wet, as the Case will admit. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds.

Arrangements for the Ship.

Penalty on Noncompliance.

XXVII. Every "Passenger Ship" shall carry throughout the Voyage a Number of Boats according to the following Scale; (that is to say,)

Regulations as to the carrying of Boats;

Two Boats for every Ship of less than Two hundred Tons:

Three Boats for every Ship of Two hundred and less than Four hundred Tons:

Four Boats for every Ship of Four hundred and less than Six hundred Tons:

Five Boats for every Ship of Six hundred and less than Ten hundred Tons:

Six Boats for every Ship of Ten hundred and less than Fifteen hundred Tons:

Seven Boats for every Ship of Fifteen hundred Tons and upwards:

Provided that no "Passenger Ship" shall be required to carry a greater Number of Boats than are sufficient in the Judgment of the Emigration Officer at the Port of Clearance to carry all the Persons on board of such Ship.

One of such Boats shall in all Cases be a Long Boat, and One shall be a properly fitted Life Boat, which shall be carried in such a Manner as to be, in the Opinion of the Emigration Officer, most available for immediate Service: Each of such Boats shall be of a suitable Size and Description, to be approved by the Emigration Officer at the Port of Clearance, and shall be seaworthy, and properly supplied with all Requisites, and kept clear at all Times for immediate Use at Sea: There shall likewise be on board each "Passenger Ship" if proceeding to any Place to the Southward of the Equator at least Two Chronometers, and if to any Place to the Northward of the Equator at least One Chronometer, and on board of all "Passenger Ships" at least Three Steering and One Azimuth Compass, Four properly fitted Life Buoys, kept ready at all Times for immediate Use, and some adequate Means, to be approved by the Emigration Officer at the Port of Clearance, of making Signals by Night and in Fogs; also a Fire Engine, in proper working Order, and of such Description and Power and either with or without such other Apparatus for extinguishing Fire as such Officer may approve; and not less than Three Bower Anchors of such Weight, and with Cables of such Length, Size, and Material, as in the Judgment of such Emigration Officer shall be sufficient for the Size of the Ship. In case of Noncompliance

of Life Boats;

and of Life Buoys, Anchors, and Fire Engines, &c.

Arrangements for the Ship.

pliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Regulations as to carrying an efficient Crew.

XXVIII. Every "Passenger Ship" shall be manned with an efficient Crew for her intended Voyage, to the Satisfaction of the Emigration Officer from whom a Clearance of such Ship may be demanded, and the Strength of the Crew shall not be diminished, nor any of the Men changed when once passed by such Emigration Officer, without his Consent in Writing, or that of the Shipping Master of the Port of Clearance, as required by the Laws then in force regulating the shipping of Seamen on board Merchant Vessels. Where the Consent of the Shipping Master is obtained, it shall, within Twenty-four Hours thereafter, be lodged with such Emigration Officer. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds: Provided, that if the Emigration Officer shall consider the Crew inefficient, and the Owner or Charterer of the Ship shall thereupon appeal in Writing to the said Emigration Commissioners, such Commissioners shall, at the Expense of the Appellant, appoint Two other Emigration Officers or Two competent Persons to examine into the Matter, and the unanimous Opinion of the Persons so appointed, expressed under their Hands, shall be conclusive on the Point.

Certain Articles prohibited as Cargo and Ballast.

XXIX. No "Passenger Ship" shall clear out or proceed to Sea if there shall be on board as Cargo, Horses, Cattle, Gunpowder, Vitriol, Lucifer Matches, Guano, or Green Hides, nor if there shall be on board any other Article or Number of Articles, whether as Cargo or Ballast, which by reason of the Nature or Quantity or Mode of Stowage thereof shall, either singly or collectively, be deemed by the Emigration Officer at the Port of Clearance likely to endanger the Health or Lives of the Passengers or the Safety of the Ship: No Part of the Cargo, or of the Passengers Luggage, or of the Provisions, Water, or Stores, whether for the Use of the Passengers or of the Crew, shall be carried on the Upper Deck or on the "Passenger Decks," unless in the Opinion of such Emigration Officer it shall be so placed as not to impede Light or Ventilation, nor interfere with the Comfort of the Passengers; nor unless the same be stowed and secured to the Satisfaction of such Emigration Officer, and the Space occupied thereby or rendered, in the Opinion of such Officer, unavailable for the Accommodation of the Passengers, shall (unless occupied by Passengers Luggage) be deducted in calculating the Space by which, under the Provisions of this Act, the Number of Passengers is regulated. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master, or any of them, shall for each Offence be

Stowage of Cargo, Stores, and Luggage to be approved by Emigration Officer.

be liable to a Penalty not exceeding Three hundred Pounds nor less than Five Pounds Sterling. *Arrangements for the Ship.*

XXX. For the Purposes of this Act, the Length of the Voyage for a "Passenger Ship" proceeding from the United Kingdom to the under-mentioned Places respectively shall be determined by the following Scale; (that is to say,) Computation of Voyages.

	If the Ship be propelled by Sails alone, or by Steam Power not sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.	If the Ship be propelled either wholly or in aid of Sails by Steam Engines of not less Power than sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.
	Days.	*Days.*
To *North America* (except the West Coast thereof):—		
For Ships clearing out between the Sixteenth Day of *January* and the Fourteenth Day of *October*, both Days inclusive - - -	70	40
For Ships clearing out between the Fifteenth Day of *October* and the Seventeenth Day of *January*, both Days inclusive - - -	80	45
To the *West Indies*, and any Part of the East Coast of *Central* or *South America*, North of the Equator - - -	70	40
To any Part of the East Coast of *South America* lying between the Equator and the Twenty-fifth Degree of South Latitude - - - - -	84	50
To the West Coast of *Africa* North of the Equator - - - -	84	50
To the Coast of *Africa* South of the Equator, or to the *Falkland Islands*, or to any Part of the East Coast of *South America* Southward of the Twenty-fifth Degree of South Latitude - -	105	65
To the *Mauritius*, and to the Western Coast of *America* South of the Equator -	126	75
To *Ceylon* - - - -	140	85
To *Western Australia* - - -	120	85
To any other of the *Australian* Colonies -	140	90
To *New Zealand* and to the Western Coast of *America* between the Equator and the Fortieth Degree of North Latitude -	150	90
To the Western Coast of *America* North of the Fortieth Degree of North Latitude, and the Islands adjacent thereto - -	182	96

For

Arrangements for the Ship.

For the like Purposes, the said Emigration Commissioners, acting by and under the Authority of One of Her Majesty's Principal Secretaries of State, from Time to Time, by any Notice in Writing issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, may nevertheless declare what shall be deemed to be the Length of Voyage from the United Kingdom to any of the said herein-before mentioned Places, or to any other Port or Place whatsoever, and may fix such different Lengths of Voyage as they may think reasonable for such different Descriptions of Vessels as aforesaid.

Before Clearance, Provisions and Water to be surveyed.

XXXI. Before any "Passenger Ship" shall be cleared out the Emigration Officer at the Port of Clearance shall survey or cause to be surveyed by some competent Person the Provisions and Water by this Act required to be placed on board for the Consumption of the Passengers, and shall satisfy himself that the same are of a good and wholesome Quality, and in a sweet and good Condition, and are in Quantities sufficient to secure throughout the Voyage the Issues herein-after prescribed: In addition to the Allowance of pure Water for the Use of each Passenger there shall be shipped for cooking Purposes an additional Supply of pure Water after the Rate of at least Ten Gallons for every Day of the prescribed Length of Voyage for every One hundred Statute Adults on board; and also for the Use of the Crew and all other Persons on board an ample Supply of wholesome Provisions and pure Water, which shall not be inferior in Quality to the Supply of the same Articles provided for the Consumption of the Passengers: All such Water, Provisions, and Stores shall be provided and properly stowed away in accordance with the Requirements of the Twenty-ninth Section of this Act, by and at the Expense of the Owner, Charterer, or Master of the Ship; and if a Clearance be obtained for any "Passenger Ship" which shall not be then stored with the requisite Quantities of such Water, Provisions, and Stores as are required by this Act, the Owner, Charterer, or Master of such Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Three hundred Pounds Sterling.

Provisions for the Crew not to be inferior to those for the Passengers.

Penalty.

Power to Emigration Officer to reject and mark bad Provisions, and direct the same to be landed, and if reshipped Parties liable to a Penalty.

XXXII. If such Emigration Officer shall consider that any of the Provisions or Stores or Water are not of a good and wholesome Quality, or are not in a sweet and good Condition, it shall be lawful for him to reject and mark the same, or the Packages or Vessels in which they are contained, and to direct the same to be landed or emptied; and if such rejected Provisions or Stores or Water shall not thereupon be forthwith landed or emptied, or if, after being landed, the same or any Part thereof shall be reshipped in such Ship, the Owner, Charterer, or Master thereof, or any of them, or if reshipped

reshipped in any other "Passenger Ship," the Person causing the same to be reshipped, shall for each Offence be liable to a Penalty not exceeding One hundred Pounds Sterling.

Arrangements for the Ship.

XXXIII. In every "Passenger Ship" the Water to be laden on board, as herein-before required, shall be carried in Tanks or in Casks to be approved by the Emigration Officer at the Port of Clearance. When Casks are used, they shall be sweet and tight, of sufficient Strength, and if of Wood properly charred inside, and shall not be capable severally of containing more than Three hundred Gallons each: The Staves of the Water Casks shall not be made of Fir, Pine, or soft Wood. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of such Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds.

Water Tanks or Casks to be approved by Emigration Officer.

XXXIV. If any "Passenger Ship" shall be intended to call at any intermediate Port or Place during the Voyage, for the Purpose of taking in Water, and if an Engagement to that Effect shall be inserted in the Bond mentioned in the Sixty-third Section of this Act, then it shall be sufficient to place on board at the Port of Clearance such Supply of Water as may be requisite, according to the Rate hereinafter mentioned, for the Voyage of the said Ship to such intermediate Port or Place, subject to the following Conditions; (that is to say,)

Provision for touching at intermediate Ports to fill up Water.

First, That the Emigration Officer signify his Approval in Writing of the Arrangement, to be carried amongst the Papers of the Ship, and exhibited to the Chief Officer of Customs, or to Her Majesty's Consular Officer, as the Case may be, at such intermediate Port or Place, and to be delivered to the Chief Officer of Customs, or to Her Majesty's Consular Officer, as the Case may be, on the Arrival of the said Ship at the final Port or Place of Discharge:

Secondly, That if the Length of either Portion of the Voyage, whether to such intermediate Port or Place, or from such intermediate Port or Place to the final Port or Place of Discharge, be not prescribed in or under the Provisions of this Act, the Emigration Officer at the Port of Clearance shall in every such Case declare the same in Writing to be carried amongst the Papers of the Ship:

Thirdly, That the Ship shall have on board at the Time a Clearance is demanded Tanks or Water Casks, of the Description herein-before mentioned, sufficient for stowing the Quantity of Water required for the longest of such Portions of the Voyage as aforesaid.

Passengers Act Amendment.

Arrangements for the Ship.

Dietary Scales of Provisions.

XXXV. The Master of every "Passenger Ship" shall, during the Voyage, including the Time of Detention at any Place before the Termination thereof, issue to each Passenger, or, where the Passengers are divided into Messes, to the Head Man for the Time being of each Mess on behalf and for the Use of all the Members thereof, an Allowance of pure Water and sweet and wholesome Provisions, of good Quality, according to the following Dietary Scale; (that is to say,) if the Length of the Voyage, computed as herein-before mentioned, shall not exceed Eighty-four Days for Ships propelled by Sails only, or Fifty Days for Ships propelled by Steam, or Steam in aid of Sails, then according to the Dietary Scale marked "A.;" but if the Length of the Voyage, computed as aforesaid, shall exceed Eighty-four Days for Ships propelled by Sails only, or Fifty Days for Ships propelled by Steam, or Steam in aid of Sails, then according to the Dietary Scale marked "B."

WATER.

Three Quarts of Water daily to each Statute Adult, exclusive of the Quantity herein-before specified as necessary for cooking the Articles herein-after required to be issued in a cooked State.

PROVISIONS.

Weekly, *per* Statute Adult:

	Scale A. For Voyages not exceeding 84 Days for Sailing Vessels, or 50 Days for Steamers.		Scale B. For Voyages exceeding 84 Days for Sailing Vessels, or 50 Days for Steamers.	
	lbs.	oz.	lbs.	oz.
Bread or Biscuit, not inferior in Quality to Navy Biscuit	3	8	3	8
Wheaten Flour	1	0	2	0
Oatmeal	1	8	1	0
Rice	1	8	0	8
Peas	1	8	1	8
Potatoes	2	0	2	0
Beef	1	4	1	4
Pork	1	0	1	0
Tea	0	2	0	2
Sugar	1	0	1	0
Salt	0	2	0	2
Mustard	0	½	0	½
Black or White Pepper, ground	0	¼	0	¼
Vinegar	One Gill.		One Gill.	
Lime Juice	-	-	0	6
Preserved Meat	-	-	1	0
Suet	-	-	0	6
Raisins	-	-	0	8
Butter	-	-	0	4

SUBSTITUTIONS.

SUBSTITUTIONS.

Arrangements for the Ship.

Substitutions at the following Rates may, at the Option of the Master of any "Passenger Ship," be made in the above Dietary Scales, that is to say:

1 lb. of preserved Meat -	for	1 lb. of Salt Pork or Beef.
1 lb. of Flour or of Bread or Biscuit, or ½ lb. of Beef or of Pork - - - -	for	1¼ lb. of Oatmeal or 1 lb. of Rice or 1 lb. of Peas.
1 lb. of Rice - -	for	1¼ lb. of Oatmeal, or vice versâ.
¼ lb. of preserved Potatoes -	for	1 lb. of Potatoes.
10 oz. of Currants - -	for	8 oz. of Raisins.
3½ oz. of Cocoa or of Coffee, roasted and ground - -	for	2 oz. of Tea.
¾ lb. of Treacle - - -	for	½ lb. of Sugar.
1 gill of mixed Pickles -	for	1 gill of Vinegar.

Provided, that the substituted Articles be set forth in the Contract Tickets of the Passengers. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall be liable for each Offence to a Penalty not exceeding Fifty Pounds Sterling.

Penalty on Noncompliance.

XXXVI. The Messes into which the Passengers in any Passenger Ship may be divided shall not consist of more than Ten Statute Adults in each Mess, and Members of the same Family, whereof One at least is a Male Adult, shall be allowed to form a separate Mess. The Provisions according to the above Scale shall be issued, such of them as require to be cooked, in a properly cooked State, daily before Two o'Clock in the Afternoon, to the Head Person for the Time being of each Mess on behalf and for the Use of the Members thereof. The first of such Issues shall be made before Two o'Clock in the Afternoon of the Day of Embarkation to or for such Passengers as shall be then on board. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds.

Size of Messes.

Provisions to be issued daily, and Articles which require cooking to be cooked.

XXXVII. The said Emigration Commissioners for the Time being, acting under the Authority of One of Her Majesty's Principal Secretaries of State, may from Time to Time, by any Notice for that Purpose, issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, authorize the Issue of Provisions in any "Passenger Ship" according to such other Dietary Scale (besides that herein-before prescribed) as shall in their Opinion contain in the whole an equivalent Amount of wholesome Nutriment; and after the Publication

Power to Emigration Commissioners to authorize an alternative Dietary Scale.

Arrangements for the Ship.

Publication of such Notice it shall be lawful for the Master of any "Passenger Ship" to issue Provisions to his Passengers either according to the Scale by this Act prescribed, or according to the Scale authorized by the said Commissioners, whichever may have been set forth in the Contract Tickets of the Passengers: Provided always, that the said Commissioners acting under such Authority and by such Notice as aforesaid may revoke or alter any such Dietary Scale authorized by them, as Occasion may require.

Power to Commissioners to alter Dietary Scale.

As to Passengers Stewards.

XXXVIII. Every "Passenger Ship" carrying as many as One hundred Passengers shall have on board a seafaring Person, who shall be rated in the Ship's Articles as Passengers Steward, and who shall be approved by the Emigration Officer at the Port of Clearance, and who shall be employed in messing and serving out the Provisions to the Passengers, and in assisting to maintain Cleanliness, Order, and good Discipline among the Passengers, and who shall not assist in any way in navigating or working the Ship. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty on Noncompliance.

As to Passenger Cooks and cooking Apparatus.

XXXIX. Every "Passenger Ship" carrying as many as One hundred Passengers shall also have on board a seafaring Man, or if carrying more than Three hundred "Statute Adults," Two seafaring Men, to be rated and approved as in the Case of Passengers Stewards, who shall be employed in cooking the Food of the Passengers: A convenient Place for cooking shall also be set apart on Deck; and a sufficient cooking Apparatus, properly covered in and arranged, shall be provided, to the Satisfaction of the said Emigration Officer, together with a proper Supply of Fuel adequate, in his Opinion, for the intended Voyage. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty on Noncompliance.

In what Cases Interpreters to be carried.

XL. In every Foreign "Passenger Ship" in which as many as One Half of the Passengers shall be *British* Subjects, unless the Master and Officers or not less than Three of them shall understand and speak intelligibly the *English* Language, there shall be carried, where the Number of Passengers does not exceed Two hundred and fifty, One Person, and where it exceeds Two hundred and fifty, Two Persons, who understand and speak intelligibly the Language spoken by the Master and Crew and also the *English* Language, and such Persons shall act as Interpreters, and be employed exclusively in Attendance on the Passengers, and not in the working of the Ship; and

no

no such Ship shall clear out or proceed to Sea without having such Interpreter or Interpreters on board; and the Master of any such Foreign Ship clearing out or proceeding to Sea without having such Interpreter or Interpreters on board as aforesaid shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Arrangements for the Ship.

Penalty.

XLI. Every "Passenger Ship" shall in the following Cases carry a duly qualified Medical Practitioner, who shall be rated on the Ship's Articles:

In what Cases a Medical Man must be carried.

First, when the Duration of the intended Voyage, as hereinbefore computed, exceeds Eighty Days in the Case of Ships propelled by Sails, and Forty-five Days in the Case of Ships propelled by Steam, and the Number of Passengers on board exceeds Fifty:

Second, whenever the Number of Persons on board (including Cabin Passengers, Officers, and Crew,) exceeds Three hundred:

In case of Noncompliance with any of the Requirements of this Section, the Master shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Twenty Pounds Sterling.

Penalty.

XLII. No Medical Practitioner shall be considered to be duly qualified for the Purposes of this Act unless authorized by Law to practise in some Part of Her Majesty's Dominions, or, in the Case of a Foreign Ship, in the Country to which such Ship may belong, as a Physician, Surgeon, or Apothecary, nor unless his Name shall have been notified to the Emigration Officer at the Port of Clearance, and shall not be objected to by him, nor unless he shall be provided with proper Surgical Instruments to the Satisfaction of such Officer: Provided nevertheless, that where the Majority of the Passengers in any "Passenger Ship," or as many as Three hundred, are Foreigners, any Medical Practitioner who may be approved by such Emigration Officer may be carried therein. In case any Person shall proceed or attempt to proceed as Medical Practitioner in any "Passenger Ship" without being duly qualified as aforesaid, or contrary to any of the Requirements of this Section, such Person and all Persons aiding or abetting therein shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Ten Pounds Sterling.

Qualification of Medical Man.

Penalty.

XLIII. The Owner or Charterer of every "Passenger Ship" shall provide for the Use of the Passengers a Supply of Medicines, Medical Comforts, Instruments, and other Things proper and necessary for Diseases and Accidents incident to Sea Voyages, and for the Medical Treatment of the Passengers during the Voyage, including an adequate

Medicines and Medical Comforts.

Arrangement for the Ship.

supply of disinfecting Fluid or Agent, together with printed or written Directions for the Use of the same respectively; and such Medicines, Medical Comforts, Instruments, and other Things shall, in the Judgment of the Emigration Officer at the Port of Clearance, be good in Quality, and sufficient in Quantity, for the probable Exigencies of the intended Voyage, and shall be properly packed and placed under the Charge of the Medical Practitioner, when there is one on board, to be used at his Discretion. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds, nor less than Five Pounds Sterling.

Penalty.

Medical Inspection of Passengers and Medicines, &c.

XLIV. No "Passenger Ship," except as herem-after provided, shall clear out or proceed to Sea until some Medical Practitioner, to be appointed by the Emigration Officer at the Port of Clearance, shall have inspected such Medicines, Medical Comforts, and other Articles as are required to be supplied by the last preceding Section, and also all the Passengers and Crew about to proceed in the Ship, and shall have certified to the said Emigration Officer that the said Ship contains a sufficient Supply of Medicines, Medical Comforts, disinfecting Fluid or Agent, Instruments, and other Things requisite for the Medical Treatment of the Passengers during the intended Voyage, nor until such Medical Practitioner shall have certified and the said Emigration Officer shall be satisfied that none of the Passengers or Crew appear, by reason of any bodily or mental Disease, unfit to proceed, or likely to endanger the Health or Safety of the other Persons about to proceed in such Vessel. Such Medical Inspection of the Passengers shall take place either on board the Vessel, or, at the Discretion of the said Emigration Officer, at such convenient Place on shore before Embarkation as he may appoint; and the Master, Owner, or Charterer of the Ship shall pay to such Emigration Officer a Sum at the Rate of Twenty Shillings for every Hundred Persons so examined: Provided also, that in case the Emigration Officer on any particular Occasion shall be unable to obtain the Attendance of a Medical Practitioner, it shall be lawful for the Master of any such Ship to clear out and proceed to Sea, on receiving from the said Emigration Officer written Permission for the Purpose. In case any "Passenger Ship" shall clear out or proceed to Sea without having complied with all the Requirements of this Section, the Master of such Ship shall for each Offence be liable to a Penalty not exceeding One hundred Pounds, nor less than Five Pounds Sterling.

Penalty.

Relanding of Passengers on account

XLV. If the Emigration Officer at any Port shall be satisfied that any Person on board or about to proceed in any "Passenger Ship" is by

Arrangements for the Ship.

of Sickness or for purifying Ships.

by reason of Sickness unfit to proceed, or is for that or for any other Reason likely to endanger the Health or Safety of the other Persons on board, the said Emigration Officer shall prohibit the Embarkation of such Person, or if embarked shall require him to be relanded; and if such Emigration Officer shall be satisfied that it is necessary, for the Purification of the Ship or otherwise, that all or any of the Passengers or Persons on board should be relanded, the said Emigration Officer may require the Master of the Ship to reland all such Passengers or Persons, and the Master shall thereupon reland such Passengers or Persons, with so much of their Effects and with such Members of their Families as cannot in the Judgment of such Emigration Officer be properly separated from them; and in case of Noncompliance with any of the Requirements of this Section, the Master, Owner, or Charterer of the Ship shall for each Offence be liable to a Penalty not exceeding Two hundred Pounds nor less than Ten Pounds; and any Passenger or Person embarking after such Prohibition, or refusing or neglecting to leave the Ship when so directed to be relanded, shall be liable to be summarily removed, and to a Penalty not exceeding Forty Shillings for each Day which he shall remain on board after the giving of such Prohibition or Direction.

Penalty.

Passengers Rights.

As to Return of Passage Money to Passengers relanded on account of Sickness, &c.

XLVI. Any Passenger so relanded on account of the Sickness of himself or of any Member of his Family who may not be re-embarked and finally sail in such Ship, or any Emigration Officer on his Behalf, shall be entitled to recover, by summary Process, the whole of the Monies which may have been paid by or on account of such Passenger for his Passage, and that of the Members of his Family so relanded, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer.

Subsistence Money to be paid to Passengers relanded.

XLVII. The Master of any "Passenger Ship," from which the whole or any Part of the Passengers shall be relanded on account of any of the Reasons mentioned in Section XLV. shall pay to each Passenger so relanded (or if he shall be lodged and maintained in any Hulk or Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at the Port,) Subsistence Money at the Rate of One Shilling and Sixpence a Day for each Statute Adult until he shall be re-embarked or decline or neglect to proceed, or until his Passage Money, if recoverable under the Forty-sixth Section of this Act, be returned to him.

Return of Passage Money and Compensa-

XLVIII. If any Person by whom or on whose Behalf any Contract shall have been made for a Passage in any Ship proceeding on any Voyage

Passengers Rights — tion to Passengers where Passages not provided for them according to Contract.

Voyage to which this Act extends, shall be at the Place of Embarkation before Six o'Clock in the Afternoon of the Day of Embarkation appointed in such Contract, and shall, if required, pay the stipulated Passage Money, or the unpaid Balance thereof, and if from any Cause whatever, other than his own Refusal, Neglect, or Default, or the Prohibition of an Emigration Officer, as herein-before mentioned, or the Requirements of any Order in Council, such Passenger shall not be received on board before that Hour, or if from any such Cause as aforesaid any Passenger who shall have been received on board shall not either obtain a Passage in such Ship to the Port at which he may have contracted to land, or, together with all the immediate Members of his Family who may be included in such Contract, obtain a Passage to the same Port in some other equally eligible Ship, to sail within Ten Days from the Expiration of the said Day of Embarkation, and in the meantime be paid Subsistence Money from the Time and at the Rate herein-after mentioned, such Passenger, or any Emigration Officer on his Behalf, shall be entitled to recover either from the Party to whom or on whose Account the same may have been paid, or (in case such Contract shall have been made with the Owner, Charterer, or Master of such Ship, or with any Person acting on behalf or by the Authority of any of them respectively,) from such Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer, all Monies which shall have been paid by or on account of such Passengers for such Passage, and also such further Sum, not exceeding Ten Pounds in respect of each such Passage, as shall, in the Opinion of the Justices of the Peace who shall adjudicate on the Complaint, be a reasonable Compensation for the Loss or Inconvenience occasioned to such Passenger by the Loss of such Passage.

Subsistence in case of Detention.

XLIX. If any Ship, whether a "Passenger Ship" or otherwise, shall not actually put to Sea, and proceed on her intended Voyage before Three o'Clock in the Afternoon of the Day next after the said Day of Embarkation, the Owner, Charterer, or Master of such Ship, or his or their Agent, or any of them, at the Option of such Passenger or Emigration Officer, shall pay to every Passenger entitled to a Passage (or if such Passenger shall be lodged and maintained in any Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at the Port of Embarkation,) Subsistence Money after the Rate of One Shilling and Sixpence for each Statute Adult in respect of each Day of Delay for the first Ten Days, and afterwards Three Shillings a Day for each Statute Adult, until the final Departure of such Ship on such Voyage, and the same may be recovered in manner herein-after mentioned; provided that if the Passengers be maintained on board in the

the same Manner as if the Voyage had commenced, no such Subsistence Money shall be payable for the first Two Days next after the said Day of Embarkation, nor if they shall be maintained shall such Subsistence Money be payable if the Ship be unavoidably detained by Wind or Weather, or by any Cause not attributable in the Opinion of the Emigration Officer to the Act or Default of the Owner, Charterer, or Master.

Passengers Rights.

L. If any "Passenger Ship" shall, after Clearance, be detained in Port for more than Seven Days, or shall put into or touch at any Port or Place in the United Kingdom, she shall not put to Sea again until there shall have been laden on board, at the Expense of the Owner, Charterer, or Master of such Ship, such further Supply of pure Water, wholesome Provisions of the requisite Kinds and Qualities, and Medical Comforts and Stores, as may be necessary to make up the full Quantities of those Articles herein-before required to be laden on board for the intended Voyage, nor until any Damage she may have sustained shall have been effectually repaired, nor until the Master of the said Ship shall have obtained from the Emigration Officer or his Assistant, or, where there is no such Officer, or in his Absence, from the Officer of Customs at such Port or Place, a Certificate to the same Effect as the Certificate herein-before required to enable the Ship to be cleared out; and in case of any Default herein the said Master shall be liable, on Conviction, as herein-after mentioned, to a Penalty not exceeding One hundred Pounds nor less than Fifty Pounds Sterling: And if the Master of any "Passenger Ship" so putting into or touching at any Port or Place as aforesaid shall not within Twelve Hours thereafter report, in Writing, his Arrival, and the Cause of his putting back, and the Condition of his Ship, and of her Stores and Provisions, to the Emigration Officer, or, as the Case may be, to the Officer of Customs at the Port, and shall not produce to such Officer the Official or "Master's List" of Passengers, such Master shall for each Offence be liable to a Penalty not exceeding Twenty Pounds nor less than Two Pounds Sterling.

Ships putting back to replenish Provisions, &c.

Penalty on Master for Default.

Ships putting back to be reported to Emigration Officer.

Penalty on Master for Neglect.

LI. If any "Passenger Ship" shall put into any Port or Place in the United Kingdom in a damaged State, and the Master, Charterer, or Owner shall not give a written Undertaking that the said Ship shall be made sound and seaworthy, and shall within Six Weeks from the Day of her so putting into such Port or Place again proceed with her Passengers on her intended Voyage, and if the said Ship shall not accordingly be made seaworthy and proceed on her intended Voyage within that Period, or if any such Ship shall after the Commencement of her Voyage be wrecked, sunk, or otherwise destroyed, or shall from any Cause whatsoever not land her Passengers at the

In case of Wreck or Damage Passengers to be provided with a Passage by some other Vessel, and maintained in the meantime.

Passengers Rights.

Place where they may have respectively contracted to land, the Owner, Charterer, or Master thereof shall provide the Passengers with a Passage in some other eligible Ship to sail within Six Weeks to the Port or Place at which they respectively may have originally contracted to land, and shall in the meantime, if the Passengers be not lodged and maintained on board in the same Manner as if the Ship were at Sea, pay to such Passengers (or if such Passengers shall be lodged or maintained in any Hulk or Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at such Port or Place,) Subsistence Money after the Rate of One Shilling and Sixpence Sterling for each Statute Adult in respect of each Day of Delay until such Passengers are duly forwarded to their Destination; and if Default shall be made in any of the Requirements of this Section such Passengers respectively, or any Emigration Officer on their Behalf, shall be entitled to recover, by summary Process, as herein-after mentioned, all Monies which shall have been paid by or on account of such Passengers or any of them for such Passage, from the Party to whom or on whose Account the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer: Provided that the said Emigration Officer may, if he shall think it necessary, direct that the Passengers shall be removed from such "Passenger Ship" at the Expense of the Master thereof; and if after such Direction any Passenger shall refuse to leave such Ship, he shall be liable to a Penalty not exceeding Forty Shillings or to Imprisonment not exceeding One Calendar Month.

In default, Passage Money to be returned.

Power to remove Passengers from Ship;

Penalty on Passengers refusing.

Secretary of State, &c., may pay Expenses of taking off Passengers at Sea.

LII. If the Passengers or Cabin Passengers of any "Passenger Ship" shall be taken off from any such "Passenger Ship" or shall be picked up at Sea from any Boat, Raft, or otherwise, it shall be lawful, if the Port or Place to which they shall be conveyed shall be in the United Kingdom, for One of Her Majesty's Principal Secretaries of State, or if in any of Her Majesty's Colonial Possessions, for the Governor of such Colony, or for any Person authorized by him for the Purpose, or if in any Foreign Country, for Her Majesty's Consular Officer, at such Port or Place therein, to defray all or any Part of the Expenses thereby incurred.

Governors or Consuls may send on Passengers if the Master of the Ship fail to do so.

LIII. If any Passenger or Cabin Passenger of any "Passenger Ship" shall, without any Neglect or Default of his own, find himself within any Colonial or Foreign Port or Place other than that at which he may have contracted to land, it shall be lawful for the Governor of such Colony, or for any Person authorized by him for the Purpose, or for Her Majesty's Consular Officer at such Foreign Port or Place,

as

as the Case may be, to forward such Passenger to his intended Destination, unless the Master of such Ship shall, within Forty-eight Hours of the Arrival of such Passenger, give to the Governor or Consular Officer, as the Case may be, a written Undertaking to forward or carry on within Six Weeks thereafter such Passenger or Cabin Passenger to his original Destination, and unless such Master shall accordingly forward or carry him on within that Period.

Passengers Rights.

LIV. All Expenses incurred under the last Two preceding Sections or either of them, by or by the Authority of such Secretary of State, Governor, Consular Officer, as aforesaid, including the Cost of maintaining the Passengers until forwarded to their Destination, and of all necessary Bedding, Provisions, and Stores, shall become a Debt to Her Majesty and Her Successors from the Owner, Charterer, and Master of such Ship, and shall be recoverable from them, or from any One or more of them, at the Suit and for the Use of Her Majesty, in like Manner as in the Case of other Crown Debts; and a Certificate purporting to be under the Hand of any such Secretary of State, Governor, or Consular Officer, (as the Case may be,) stating the total Amount of such Expenses, shall in any Suit or other Proceeding for the Recovery of such Debt be received in Evidence without Proof of the Handwriting or of the official Character of such Secretary of State, Governor, or Consular Officer, and shall be deemed sufficient Evidence of the Amount of such Expenses, and that the same were duly incurred: Provided nevertheless, that in no Case shall any larger Sum be recovered on account of such Expenses than a Sum equal to twice the total Amount of Passage Money received by the Owner, Charterer, or Master of such Passenger Ship, or any of them, from or on account of the whole Number of Passengers and Cabin Passengers who may have embarked in such Ship; which total Amount of Passage Money shall be proved by the Defendant, if he will have the Advantage of this Limitation of the Debt; but if any such Passengers are forwarded or conveyed to their intended Destination under the Provisions of the last preceding Section, they shall not be entitled to the Return of their Passage Money, or to any Compensation for Loss of Passage under the Provisions of this Act.

Expenses incurred under the Two preceding Sections to be a Crown Debt.

Passengers forwarded by Governor, &c. not entitled to Return of Passage Money.

LV. No Policy of Assurance effected in respect of any Passages, or of any Passage or Compensation Monies, by any Person by this Act made liable, in the Events aforesaid, to provide such Passages or to pay such Monies, or in respect of any other Risk under this Act, shall be deemed to be invalid by reason of the Nature of the Risk or Interest sought to be covered by such Policy of Assurance.

Insurance of Passage Money not to be void on account of the Nature of the Risk.

LVI. If

Passengers Act Amendment.

Passengers Rights

Penalty on wrongfully landing Passengers.

LVI. If any Passenger in any Ship, whether a "Passenger Ship" or otherwise, shall be landed at any Port or Place other than the Port or Place at which he may have contracted to land, unless with his previous Consent, or unless such Landing shall be rendered necessary by Perils of the Sea, or other unavoidable Accident, the Master shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Ten Pounds Sterling.

Passengers to be maintained for 48 Hours after Arrival.

Penalty.

LVII. Every Passenger in a "Passenger Ship" shall be entitled for at least Forty-eight Hours next after his Arrival at the End of his Voyage, to sleep in the Ship, and to be provided for and maintained on board thereof, in the same Manner as during the Voyage, unless within that Period the Ship shall quit such Port or Place in the further Prosecution of her Voyage. In case of Noncompliance with any of the Requirements of this Section, the Master shall for each Offence be liable to a Penalty not exceeding Five Pounds Sterling.

Passengers Right of Action preserved.

LVIII. Nothing herein contained shall take away or abridge any Right of Action which may accrue to any Passenger in any Ship, or to any other Person, in respect of the Breach or Nonperformance of any Contract made or entered into between or on behalf of any such Passenger or other Person, and the Master, Charterer, or Owner of any such Ship, or his or their Agent, or any Passage Broker.

Miscellaneous.

Her Majesty may, by Orders in Council, prescribe Rules for Purposes herein described.

LIX. It shall be lawful for Her Majesty, by any Order in Council, to prescribe such Rules and Regulations as to Her Majesty may seem fit, for the following Purposes; (that is to say,)

1st. For preserving Order, promoting Health, and securing Cleanliness and Ventilation on board of "Passenger Ships" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad.

2d. For permitting the Use on board of "Passenger Ships" of an Apparatus for distilling Water, and for defining in such Case the Quantity of fresh Water to be carried in Tanks or Casks for the Passengers.

3d. For prohibiting Emigration from any Port or Ports at any Time when Choleraic or any Epidemic Disease may be generally prevalent in the United Kingdom or any Part thereof, or for reducing the Number of Passengers allowed to be carried in "Passenger Ships" generally, or from any particular Ports under the Provisions of this Act.

4th. For requiring duly qualified Medical Practitioners to be carried in "Passenger Ships," in Cases where they would not be required to be carried under the Provisions of this Act.

Any

Miscellaneous.

Any such Order in Council may from Time to Time in like Manner be altered, amended, and revoked, as Occasion may require. Any Copy of such Order in Council contained in the *London Gazette*, or purporting to be printed by the Queen's Printer, shall throughout Her Majesty's Dominions be received in all legal Proceedings as good and sufficient Evidence of the making and Contents of any such Order in Council.

Gazette and Copies printed by Queen's Printer to be Evidence of Orders, &c.

LX. In every such "Passenger Ship" the Medical Practitioner on board, aided by the Master thereof, or, in the Absence of such Medical Practitioner, the Master of such Ship, is hereby empowered to exact Obedience to all Rules and Regulations which may be prescribed by any such Order in Council to be observed on board Passenger Ships as aforesaid; and any Person on board who shall neglect or refuse to obey any such Rule or Regulation, or who shall obstruct the Medical Practitioner or Master of such Ship in the Execution of any Duty imposed upon him by any such Rule or Regulation, or who shall offend against any of the Provisions of this Act, or who shall be guilty of riotous or insubordinate Conduct, shall be liable for each Offence to a Penalty not exceeding Two Pounds Sterling, and, in addition thereto, to be confined in the Common Gaol for any Period not exceeding One Month, at the Discretion of the Justices who shall adjudicate on the Complaint.

Surgeon or Master to exact Obedience to Rules and Regulations.

Penalty on Refusal.

LXI. The said Emigration Commissioners shall from Time to Time prepare such Abstracts as they may think proper of the whole or any Part of this Act, and of any such Order in Council as aforesaid; and Four Copies of such Abstracts, together with a Copy of this Act, shall, on Demand, be supplied by the Principal Officer of Customs at the Port of Clearance to the Master of every "Passenger Ship" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad; and such Master shall, on Request made to him, produce a Copy of this Act to any Passenger on board, for his Perusal, and, further, shall post, previous to the Embarkation of the Passengers, and shall keep posted so long as any Passenger shall be entitled to remain in the Ship, in at least Two conspicuous Places between the Decks on which Passengers may be carried, Copies of such Abstracts; and such Master shall be liable to a Penalty not exceeding Forty Shillings Sterling for every Day during any Part of which by his Act or Default such Abstracts shall fail to be so posted; and any Person displacing or defacing such Abstracts so posted shall be liable to a Penalty not exceeding Forty Shillings Sterling.

Emigration Commissioners to prepare an Abstract of Act and Orders in Council.

Such Abstract to be posted up in each Ship.

Penalty on Master for Neglect;

and on Person defacing Abstract.

LXII. If in any "Passenger Ship" any Person shall during the Voyage, directly or indirectly, sell or cause to be sold any Spirits or Strong

Sale of Spirits prohibited on board Passenger Ships.

Miscellaneous.

Penalty.

Strong Waters to any Passenger, he shall be liable for every such Offence to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

Bond to be given by Masters of British and Foreign Passenger Ships.

LXIII. Before any "Passenger Ship" shall clear out or proceed to Sea, the Master, together with the Owner or Charterer of the Ship, or, in the event of the Absence of such Owner or Charterer, or if the Master be the Owner or Charterer, One other good and sufficient Person, to be approved by the Chief Officer of Customs at the Port of Clearance, shall enter into a joint and several Bond, in the Sum of Two thousand Pounds, to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (C.) hereto annexed. Such Bond shall not be liable to Stamp Duty, and shall be executed in Duplicate.

Counterpart of Bond to be certified, and sent to the Colony to which Ship bound, and to be received in Evidence without further Proof of Execution.

LXIV. It shall be the Duty of the Chief Officer of Customs at the Port of Clearance of any "Passenger Ship" bound to any of Her Majesty's Possessions abroad, to certify on One Part of such Bond that it has been duly executed by the said Master of such Ship and the other Obligor, and to forward the same by Post to the Colonial Secretary of the Colony to which such "Passenger Ship" may be bound; and such Certificate shall, in any Colonial Court of Judicature in which the Bond may be put in suit, be deemed conclusive Evidence of the due Execution of the Bond by the said Master and the other Obligor, and it shall not be necessary to prove the Handwriting of the Officer of Customs who may have signed such Certificate, nor that he was at the Time of signing it Chief Officer of Customs at the Port of Clearance; provided that no such Bond shall be put in suit in any of Her Majesty's Possessions abroad after the Expiration of Three Calendar Months next after the Arrival therein of the said Ship, nor in the United Kingdom after the Expiration of Twelve Calendar Months next after the Return of the said Ship and of the said Master to the United Kingdom.

In the Absence of Agreement to the contrary the Owner to be responsible in respect of Default.

LXV. In the Absence of any Agreement to the contrary, the Owner shall be the Party ultimately responsible, as between himself and the other Persons hereby made liable in respect of any Default in complying with the Requirements of this Act; and that if any such last-mentioned Person shall pay any Monies hereby made payable to or on behalf of any such Passengers as aforesaid, the Person so paying the same shall be entitled, in the Absence of any such Agreement as aforesaid, to sue for and recover from the Owner the Amount so paid, together with Costs of Suit.

Passage Brokers.

No Person to act as a Pas-

LXVI. No Person whatever shall directly or indirectly act as a Passage Broker in respect of Passages from the United Kingdom to any

any Place out of *Europe*, and not being within the *Mediterranean Sea*, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to any such Place as aforesaid, unless such Person, with Two good and sufficient Sureties to be approved by the Emigration Officer at the Port nearest to the Place of Business of such Person, shall have previously entered into a joint and several Bond, in the Sum of One thousand Pounds to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (D.) hereto annexed, which Bond shall be renewed on each Occasion of obtaining such Licence as herein-after mentioned, and shall be in Duplicate, without Stamps, and One Part thereof shall be deposited at the Office in *London* of the said Emigration Commissioners, and the other Part thereof with the Emigration Officer at the Port nearest to the Place of Business of such Person; nor unless such Person shall have obtained a Licence, as herein-after mentioned, to let or sell Passages, nor unless such Licence shall then be in force; and if any Person shall offend in any Particular against this Enactment, every Person so offending shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds, to be sued for and recovered as herein-after mentioned: Provided, that such Bond shall not be required of any Person who shall be One of the Sworn Brokers of the City of *London*: Provided also, that there shall be excepted from the Operation of this Section the said Emigration Commissioners, and any Persons contracting with them, or acting under their Authority, and also any Person acting as the Agent of any Passage Broker in pursuance of an Appointment made in the Form prescribed by Schedule (I.) hereto annexed, signed by such Passage Broker, and countersigned by such Emigration Officer as aforesaid: Provided further, that the Acts and Defaults of any Person acting under the Authority or as Agent of any Passage Broker shall, for the Purposes of this Act, be deemed to be also the Acts and Defaults of such Passage Broker: Provided also, that nothing herein-before contained shall be held or construed to prevent the said Emigration Officer from accepting the Bond of a Guarantee Society, such Bond and such Guarantee Society as shall have been approved by the Lords Commissioners of Her Majesty's Treasury, in lieu of the Bond of Two good and sufficient Securities as aforesaid.

Passage Brokers.

sage Broker without a Licence.

Emigration Commissioners and Agents of Passage Brokers exempted from this Section.

Passage Brokers to be responsible for their Agents.

LXVII. Any Person wishing to obtain a Licence to act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of *Europe*, and not being in the *Mediterranean Sea*, shall make Application for the same to the Justices at the Petty Sessions held for the District or Place in which such Person shall have his Place of Business;

How Passage Brokers Licences may be obtained.

Passage Brokers.

Business; and such Justices are hereby authorized (if they shall think fit) to grant a Licence for that Purpose, according to the Form in the Schedule (E.) hereunto annexed, which Licence shall continue in force until the Thirty-first Day of *December* in the Year in which such Licence shall be granted, and for Thirty-one Days afterwards, unless sooner forfeited, as herein mentioned; and upon granting such Licence the Justices shall cause a Notice thereof according to the Form in Schedule (F.) hereto annexed to be transmitted forthwith by the Post to the said Emigration Commissioners at their Office in *London*: Provided always, that no such Licence shall be granted unless the Party applying for the same shall show to the Satisfaction of the Justices that he has given such Bond to Her Majesty, Her Heirs and Successors, as herein before required, and has deposited One Part thereof at the Office in *London* of the said Commissioners, or is a Sworn Broker of the City of *London*, and has in either Case given Notice to the said Commissioners Fourteen clear Days at least before such Application of his Intention to apply for the same, which Notice shall be transmitted by the Post to the Office in *London* of the said Commissioners, and shall be according to the Form contained in the Schedule (G.) hereto annexed: Provided also, that any Justices of the Peace who shall adjudicate on any Offence against this Act, or on any Breach or Nonperformance of any of the Requirements thereof, are hereby authorized, if they shall think fit, and the Offender is a Passage Broker, to order his Licence to be forfeited, and the same shall thereupon be forfeited accordingly; and the said Justices making such Order shall forthwith cause Notice of such Forfeiture, in the Form contained in the Schedule (H.) hereunto annexed, to be transmitted by the Post to the said Commissioners at their Office in *London*: In *Scotland*, where any Person wishing to obtain such Licence shall make Application for the same to the Sheriff or Steward or Sheriff Substitute or Steward Substitute, in place of to such Justices of the Peace as aforesaid, the Forms given in the said Schedules (D.), (E.), (F.), (G.), and (H.) respectively, shall still be adhered to, with such Alterations as may be necessary.

Justices to give Notice to Emigration Commissioners of Licence granted.

Notice to be given to Emigration Commissioners of intended Application for Licences.

Power to Justices to order Licences to be forfeited, who shall give Notice of the same to Emigration Commissioners.

As to Application for Licences in Scotland.

Existing Licences to continue in force until 1st Feb. 1856.

LXVIII. Every Passenger Broker's Licence in force at the Commencement of this Act shall, unless adjudged to be forfeited, continue in force until the First Day of *February* One thousand eight hundred and fifty-six, but no longer; and all Acts done under such Licence while in force shall be as valid as if done under any Licence granted under this Act.

Passage Brokers to employ no

LXIX. No Passage Broker shall employ as an Agent in his Business of Passage Broker any Person not holding from him the Appointment

Passage Brokers.

Appointment of Agent as herein-before mentioned; and every Person holding such Appointment shall produce the same, on the Demand of any Emigration Officer, or of any Person treating for a Passage under this Act: For any Breach or Violation of this Enactment in any Particular, the Offender shall be liable for each Offence to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds.

Agents except those expressly appointed by them.

Agents to produce their Appointments on Demand.

LXX. If any Person shall by false Representation as to the Size of a Ship, or otherwise, or by any false Pretence or Fraud whatsoever, induce any Person to engage a Passage in any Ship, the Person so offending shall for each Offence be liable to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

Penalty on Persons fraudulently inducing others to engage Passages.

LXXI. Every Person whatever, except the said Emigration Commissioners and Persons acting for them and under their direct Authority, who shall receive Money from any Person for or in respect of a Passage in any Ship, or of a Cabin Passage in any "Passenger Ship" proceeding from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, shall give to the Person paying such Money a Contract Ticket, signed by the Owner, Charterer, or Master of the Ship or "Passenger Ship" (as the Case may be) in which the Passage is to be provided, or by some Person in their or his Name, and on their or his Behalf: Such Contract Ticket shall be made out in plain and legible Characters on a printed Form, which in the Case of Cabin Passengers shall be according to the Form contained in Schedule (K.) hereto annexed, and in the Case of all other Passengers in the Form contained in Schedule (L.) hereto annexed, or according to such other Form as in either Case may from Time to Time be prescribed by the said Emigration Commissioners in any Notice issued under their Hands, or the Hands of any Two of them, and published in the *London Gazette*: And any Directions contained on the Face of such Form of Contract Ticket shall be obeyed in the same Manner as if herein set forth. In case of Noncompliance with any of the Requirements of this Section, or of any of the Directions on such Form of Contract Ticket not inconsistent with this Act, the Person so offending shall for each Offence be liable to a Penalty not exceeding Fifty Pounds, nor less than Five Pounds Sterling: Provided always, that such Contract Tickets shall not be liable to any Stamp Duty.

Contract Tickets for Cabin and other Passengers.

LXXII. Any Person who shall alter or cause to be altered, after it is once issued, or shall induce any Person to part with, render useless, or destroy any such Contract Ticket, during the Continuance of the Contract which it is intended to evidence (except in the Case of Cabin

Penalty for inducing any one to part with Contract Ticket.

Passage Brokers.

Cabin Passengers who may have consented thereto), shall be liable in each Case to a Penalty not exceeding Twenty Pounds Sterling.

Summary Remedy for Breach of Contract.

LXXIII. Any Question which may arise respecting the Breach or Nonperformance of any of the Stipulations in any such Contract Ticket, may, at the Option of any Passenger or Cabin Passenger interested therein, be heard and determined in a summary Way by the Justices of the Peace, Magistrates, Sheriffs, or other Officers herein-after authorized to adjudicate on Offences and Complaints under the Act, who are hereby authorized to try such Questions, and if they shall find that a Breach of Contract has been committed, to award to the Complainant such Damages and Costs as they may think fit, not exceeding in any Case the Amount of the Passage Money specified in such Contract Ticket and Twenty Pounds; and if such Damages and Costs be not at once paid, Payment thereof shall thereupon be enforced, in the same Manner and by the same Processes as the Payment of Subsistence Money, or the Return of Passage Money, may be enforced under this Act; Provided that if any Passenger shall have obtained Compensation or Redress, under any of the other Provisions of this Act, he shall not be entitled to sue under this Section for Damages for the same Matter or Cause of Complaint.

Penalty on Cabin Passengers and on Masters, &c. omitting to produce Contract Tickets.

LXXIV. If any Cabin or other Passenger shall, on Demand of any Emigration Officer, refuse or omit to produce his Contract Ticket, or if any Owner, Charterer, or Master of a Ship, shall on like Demand refuse or omit to produce to any Emigration Officer in the United Kingdom the Counterpart of any Contract Ticket issued by them, or on their Behalf, for the Inspection of such Emigration Officer, and for the Purposes of this Act, every Person so offending against the Requirements of this Section shall for each Offence be liable summarily to a Penalty not exceeding Ten Pounds.

Penalty on Persons acting as Runners without Licence and Badge, and on Passage Brokers employing them.

LXXV. Any Person who shall act as an "Emigrant Runner" without having previously been licensed and registered as herein-after mentioned, or who while so acting shall omit to wear conspicuously on his Breast such Badge as herein-after mentioned, or who shall employ as an "Emigrant Runner" any Person not duly licensed and registered, shall for each Offence be liable to a Penalty not exceeding Five Pounds nor less than Twenty Shillings.

Mode of Licensing and Registering Runners.

LXXVI. The Justices of the Peace at any Petty Sessions held for the District or Place within which any Person wishing to act as an "Emigrant Runner" is to carry on his Business may upon the Recommendation in Writing of an Emigration Officer or of the Chief Constable or other Head Officer of Police of such District or Place (but

(but not otherwise) grant, if they shall think fit, to such Person wishing to act as Runner a Licence for that Purpose according to the Form in Schedule (M.) hereto annexed, and such Runner shall within Forty-eight Hours thereafter (under a Penalty not exceeding Forty Shillings for any Default) lodge such Licence with the nearest Emigration Officer, who shall register the Name and Abode of such Runner in a Book to be kept for that Purpose, and shall number each Name registered in arithmetical Progression, and shall supply to such Runner, on his paying a Sum not exceeding Seven Shillings for the same, a Badge of such Form and Description as shall be approved by the said Emigration Commissioners.

Passage Brokers.

LXXVII. Every such "Emigrant Runner's" Licence shall continue in force until the Thirty-first Day of *December* in the Year in which it shall be granted, unless sooner revoked by any Justice of the Peace, for any Offence against this Act or for any other Misconduct committed by the Holder of such Licence. In case of any renewed Licence it shall be sufficient for the Emigration Officer to note the Fact, and the Date of the Renewal, in his Registry Book against the original Entry therein of the Name of the Runner holding such renewed Licence.

Emigrant Runner's Licence to be renewed annually.

LXXVIII. If any "Emigrant Runner" shall refuse or fail to produce, on Demand, his Badge for Inspection, or to permit any Person to take the Number thereof, or if he shall fail within Forty-eight Hours to give to the Emigration Officer of the Port or Place within which he is licensed to act Notice in Writing of any Change in his Place of Abode, in order that his new Abode may be registered, or of the Loss of his Badge, or if he shall mutilate or deface his Badge or wear the same while unlicensed, or wear any other than the one delivered to him by such Emigration Officer as aforesaid, or permit any other Person to use his Badge, he shall for each such Offence be liable to a Penalty not exceeding Forty Shillings and to the Forfeiture of his Licence, if the convicting Justices or Magistrate shall so determine; and any Person retaining or using any "Emigrant Runner's" Badge not issued to him under the Provisions of this Act, or counterfeiting or forging any such Badge, shall for each such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Runner for certain Acts of Misconduct.

Penalty on Persons using Badges not lawfully issued to them.

LXXIX. Such Emigration Officer as last aforesaid may, if he thinks fit, on Payment to him of the Sum of Five Shillings, deliver a new Badge to any licensed "Emigrant Runner" who shall satisfy such Officer that he has lost his original Badge, or who shall deliver up the same in a mutilated or defaced State.

How fresh Badges may be obtained in case the old ones are lost or mutilated.

LXXX. No

Passage Brokers.

Passengers Act Amendment.

Runners not entitled to Commission from any Passage Broker unless acting with his Authority, nor from Emigrants for procuring their Passage.

LXXX. No "Emigrant Runner" shall be entitled to recover from any Passage Broker any Fee, Commission, or Reward for or in consideration of any Service connected with Emigration, unless he shall be acting under the written Authority of such Passage Broker, nor, under a Penalty for each Offence not exceeding Five Pounds, shall take or demand from any Person about to emigrate any Fee or Reward for the procuring of his Passage, or in any way relating thereto.

List of Runners to be exhibited by Brokers and sent to Emigration Officers.

LXXXI. Every Passage Broker shall exhibit and keep constantly exhibited in some conspicuous Place in his Office or Place of Business a correct List, in plain and legible Characters, containing the Names and Addresses in full of every Person for the Time being holding such Authority to act as his Agent or as an Emigrant Runner for him as aforesaid, and shall on or before the Fifth Day, or if that Day be a *Sunday*, on or before the Fourth Day in every Month, transmit a true Copy of such List, duly signed by him, to the Emigration Officer stationed nearest to the Place of Business of such licensed Passage Broker, and shall report to such Emigration Officer every Discharge or fresh Engagement of an Agent or of an "Emigrant Runner" within Twenty-four Hours of the same taking place. In case of Non-compliance with any of the Requirements of this Section, the Person so offending shall be liable for each Offence to Penalty not exceeding Five Pounds nor less than Two Pounds.

Trustees of Docks may pass Byelaws for regulating the Landing and Embarkation of intending Emigrants, and for licensing Emigrant Porters.

LXXXII. It shall be lawful for the Trustees or other Persons charged with the Management of any Docks or Basins in any Port within the United Kingdom from which "Passenger Ships" are despatched to make, and from Time to Time to alter, amend, or repeal, such Rules and Byelaws as may be necessary for prescribing the Docks, Basins, or other Places at which Persons arriving by Sea at such Ports for the Purpose of emigrating, or actually emigrating therefrom, shall be landed and embarked, and the Mode of their Landing and Embarkation, and for licensing Porters to carry their Luggage and otherwise to attend upon them, and for the Storing and safe Custody of their Luggage, and for admitting Persons to and excluding Persons from Access to such Docks or Basins, and for attaching a Penalty not exceeding Five Pounds for the Breach of any of such Rules or Byelaws, such Penalty to be sued for and recovered as other Penalties are by this Act directed to be recovered, except that instead of an Emigration Officer such Trustees or other Persons as aforesaid shall sue for and recover the same: And it shall further be lawful for such Trustees, by their Officers or Servants, or by any Police Officer, to arrest and detain any Person charged with the Breach of any such Rule or Byelaw until brought before

before any Justice of the Peace, who is hereby authorized to adjudicate on the Offence in a summary Way: Provided that no such Rules or Byelaws shall take effect until they shall have been approved by One of Her Majesty's Principal Secretaries of State, and published by his Authority in the *London Gazette*, which Publication shall for all Purposes be deemed conclusive Evidence of such Rules and Byelaws, and of the Approval thereof by such Secretary of State.

Passage Brokers.

Byelaws to be approved by Secretary of State, and published in the London Gazette.

LXXXIII. And whereas the said Emigration Commissioners and Persons acting under their Authority issue from Time to Time certain Forms of Application and other Papers for the Use of Persons desirous of emigrating by their Assistance: And whereas it is expedient to afford additional Security against the Falsification or Misuse of such Forms and Papers, and of any Certificate of Marriage or of Birth or Baptism, or other Document or Statement adduced in support of any Application to the said Commissioners for such Assistance: Be it therefore enacted, That if any Person shall falsely represent himself to be or falsely assume to act as the Agent of the said Commissioners, or shall sell any such Form of Application, Paper, or Embarkation Order, or shall wilfully make any false Representation in any such Form of Application, Paper, Certificate, or Document as aforesaid, or shall forge or fraudulently alter any Signature or Statement contained therein respectively, or shall personate any Person named therein respectively, or shall aid or in any way abet any Person in any such false Representation, Forgery, Alteration, or Personation, the Person so offending shall be liable for each such Offence to a Penalty not exceeding Fifty Pounds nor less than Two Pounds Sterling.

Penalty for falsifying Documents to obtain Passages from Emigration Commissioners, and for Personation.

LXXXIV. All Penalties and Forfeitures imposed by this Act shall be sued for in the United Kingdom by any Emigration Officer or his Assistant, or by any Person authorized thereto by the said Emigration Commissioners under the Hands of any Two of them, or by any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs authorized thereto in Writing by the Commissioners of Her Majesty's Customs, and in any of Her Majesty's Possessions abroad by any Government Emigration Officer or Agent, or by any such Collector or Comptroller of Customs, or other Officer of Customs so authorized as aforesaid, or by any Officer authorized to sue for Penalties and Forfeitures under this Act by Writing under the Hand and Seal of the Governor of any such Possession; and the said Emigration Commissioners, and the Commissioners of Her Majesty's Customs, and every such Governor, are hereby respectively empowered to grant such Authority as aforesaid: And all Sums of Money made recoverable by this Act as Return of

Procedure for Penalties, &c.

By whom Penalties are to be recovered.

By whom Passage,

Procedure for Penalties, &c.

Subsistence, and Compensation Monies may be recovered.

of Passage Money, Subsistence Money, Damages, or Compensation may be sued for and recovered by and for the Use of any Passenger entitled thereto under this Act, or by any such Officer as aforesaid, for and on behalf and to the Use of any such Passenger or any Number of such Passengers respectively, and in any Case either by One or several Informations or Complaints.

Tribunal for adjudicating on Offences and Complaints under this Act.

LXXXV. All Penalties imposed and all Sums of Money made recoverable under this Act, by way of Passage Money, Subsistence Money, Compensation, or Damages for the Breach of any Stipulation in any Contract Ticket, shall and may be sued for and recovered before any Two or more Justices of the Peace acting in any Part of Her Majesty's Dominions or Possessions in which the Offence shall have been committed or the Cause of Complaint shall have arisen, or in which the Offender or Party complained against shall happen to be, or acting in any County or Borough, or Place adjacent to any navigable River or Inlet of the Sea on which such Offence shall have been committed or Cause of Complaint have arisen; and upon Information or Complaint made before any One Justice of the Peace acting as aforesaid, he shall issue a Summons, according to the Form in the Schedule (N.) hereto annexed, requiring the Party offending or complained against to appear at a Time and Place to be named therein; and every such Summons shall be served on the Party offending or complained against, or shall be left at his last known Place of Abode or of Business, or on board any Ship to which he may belong; and if such Party shall not appear accordingly, then (upon Proof of the due Service of the Summons by delivering the Summons or a Copy thereof to the Party, or at his last known Place of Abode or of Business, or on board any Ship to which he may belong, to the Person in charge of any such Ship,) any Two of such Justices so acting as aforesaid may either hear and determine the Case in the Absence of the Party, or either of them may issue his Warrant for apprehending and bringing such Party before them or any Two Justices so acting as aforesaid; or the Justice before whom the Charge shall be made, if he shall have Reason to suspect, from Information upon Oath, that the Party is likely to abscond, may issue such Warrant in the first instance, without any previous Summons; and either upon the Appearance of the Party offending or complained against, or in his Absence as aforesaid, any Two of such Justices so acting as aforesaid may hear and determine the Case, either with or without any written Information or Complaint; and upon Proof of the Offence, or of the Complainant's Claim, (as the Case may be,) either by Confession of the Party offending or complained against, or upon the Oath of One or more credible Witness or Witnesses (and the Justices are hereby authorized to summon and swear any Witnesses who may be deemed necessary), it shall be lawful for such Justices so acting

acting as aforesaid to convict the Offender, or to adjudicate upon the Complaint, (such Conviction or Adjudication to be drawn up according to One of the Forms of Conviction or Adjudication contained in Schedule (O.) hereto annexed, or as near thereto as the Circumstances of the Case will admit,) and upon every such Conviction to order the Offender to pay such Penalty as they may think proper, not exceeding the Penalties herein-before imposed, and upon every such Adjudication to order the Party complained against to pay to the Party suing for the same the Sum of Money or Damages sued for, or so much thereof as such Justices shall think the Complainant justly entitled to, together with, in every Case, the Costs of the Proceedings; and if the Monies and Costs mentioned in such Conviction or Adjudication be not paid immediately or within the Time limited in the Order it shall be lawful for any Two of such Justices so acting as aforesaid, by Warrant, (and although the written Order of Conviction or Adjudication, or any Minute thereof, may not have been served,) to cause the Party offending to be committed to Gaol, there to be imprisoned, with or without Hard Labour, according to the Discretion of such Justices, for any Term not exceeding Three Calendar Months, unless such Monies and Costs be sooner paid and satisfied: Provided always, that in all Proceedings taken under this Act for which no Form is herein expressly provided it shall be lawful to use Forms similar, as nearly as Circumstances will admit, to those contained in the Schedule to an Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three.

Procedure for Penalties, &c.

Proviso where no Forms of proceeding are prescribed by this Act.

LXXXVI. Every Police or Stipendiary Magistrate, and in *Scotland* every Sheriff or Steward and Sheriff Substitute or Steward Substitute of a County or Stewartry within his own County or Stewartry, shall have such and the like Powers, Privileges, and Functions, and be entitled to exercise such and the like Jurisdiction under this Act, as any Justice or Two Justices, or Justices at Petty Sessions, have or is or are entitled to exercise under the Provisions of this Act; and all Acts, Matters, and Things competent to be done under the Provisions of this Act by or before any Justice or Two Justices of the Peace, or Justices at Petty Sessions, or otherwise, may be done by and before any Police or Stipendiary Magistrate, and in *Scotland* by and before any Sheriff or Steward or Sheriff Substitute or Steward Substitute within his own County or Stewartry.

Police and Stipendiary Magistrate, and in Scotland Sheriff, &c., to have the same Powers as Justices of the Peace.

LXXXVII. No Objection shall be taken or allowed to any Complaint, Information, Summons, or Warrant under this Act, for any alleged Defect therein, either in Substance or in Form, or for any Variance between such Complaint or Information and the Evidence adduced on the Hearing thereof; but if any Variance shall appear to the Justice or

No Objection to be allowed, nor Convictions to be quashed for Want of Form.

Procedure for Penalties, &c.

or Justices present and acting at such Hearing to be such that the Party so summoned and appearing has been thereby deceived or misled, it shall be lawful for such Justice or Justices, upon such Terms as he or they shall think fit, to adjourn the Hearing of the Case to some future Day, and in the meantime to commit the Defendant to such safe Custody as the said Justice or Justices may think fit, or to discharge him upon his Recognizance, with or without Sureties, to appear at such Time and Place as may be appointed: No Conviction, Order, Adjudication, or other Proceeding under or in pursuance of this Act shall be quashed or vacated for Want of Form.

Application of Penalties.

LXXXVIII. All Penalties imposed by this Act shall, when recovered, and notwithstanding any Local Act of Parliament to the contrary, be paid to the Emigration Officer or Officer of Customs at whose Suit the same shall have been recovered, for the Use of Her Majesty and Her Successors, and if recovered in the Colonies shall be paid over by the Party receiving the same into the Colonial Treasury, and shall form Part of the general Revenue of the Colony, and if recovered in the United Kingdom shall be paid over to the said Emigration Commissioners if the Party at whose Suit the same shall have been recovered be an Emigration Officer or his Assistant, and to Her Majesty's Commissioners of Customs if the Party at whose Suit the same shall have been recovered be an Officer of Customs, to be by such Emigration Commissioners and Commissioners of Customs respectively duly accounted for; and all such Penalties as may be recovered in the United Kingdom shall be appropriated to such Purposes and in such Manner as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury may from Time to Time direct and appoint: Provided always, that it shall be lawful for the Justices of the Peace who shall impose any such Penalty at the same Time to direct, if they shall think fit, that a Part, not exceeding One Moiety thereof, be applied to compensate any Passenger for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty or Forfeiture shall have been imposed.

Justices may award Compensation out of Penalties to Party aggrieved.

Burden of Proof to be on Persons claiming Exemption from Act.

LXXXIX. If in any Suit, Action, Prosecution, or other legal Proceeding under this Act any Question shall arise whether any Ship was or was not exempted from the Provisions of this Act or any of them, the Burden of proving that such Ship was so exempted shall lie on the Party claiming the Benefit of the Exemption, and failing such Proof it shall for any such Purpose as aforesaid be taken and adjudged that the Ship did come within the Provisions of this Act; and it shall not be necessary, in any Information, Complaint, or other Process or Proceeding, to negative any Exemption, Proviso, or Condition contained in any Section of this Act on which such Information, Complaint, or other Process or Proceeding shall be framed, neither shall

Proof of Negatives.

shall it be necessary for the Complainant to prove the Negative, but the Defendant may prove the Affirmative thereof, if he will have Advantage of the same.

Procedure for Penalties, &c.

XC. If in any Proceeding before any Justice or Justices of the Peace under this Act, or upon any Action, Suit, or other Proceeding whatsoever, against any Person, for anything done either contrary to or in pursuance of this Act, a Question should arise whether any Person is an Emigration Officer or Assistant Emigration Officer, or an Officer of Customs, *vivâ voce* Evidence may be given of such Fact by the Officer himself, and shall be deemed legal and sufficient Evidence.

Proof of a Party being an Emigration Officer.

XCI. Any Passenger suing under this Act for any Sum of Money made recoverable by this Act as Passage Money, Subsistence Money, or Compensation, or Damages, shall not be deemed an incompetent Witness in any Proceeding for the Recovery thereof, notwithstanding the same, if recovered, shall be applicable to his own Use and Benefit.

Passengers suing not incompetent Witnesses.

XCII. No Plaintiff shall recover in any Action against any Emigration Officer, his Assistant, Government Emigration Agent, or Officer of Customs, or other Person, for anything done in pursuance of this Act, if Tender of sufficient Amends shall have been made before such Action brought, or if, after Action brought, a sufficient Sum of Money shall have been paid into Court, by or on behalf of the Defendant.

Tender of Amends.

XCIII. No Action or Suit shall be commenced against any Emigration Officer, his Assistant, Government Emigration Agent, Officer of Customs, or other Person, for anything done in pursuance of or under the Authority of this Act, until Ten clear Days Notice in Writing, specifying distinctly the Cause of Action, has been given to the Officer, Agent, or Person as aforesaid against whom such Action or Suit is intended to be brought, nor after Three Calendar Months next after the Act committed and mentioned in such Notice for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence, at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Ten clear Days Notice thereof given as aforesaid, or if any Action or Suit shall not be commenced within the Time herein-before limited, or shall be brought or laid in any other Place than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become nonsuited,

Limitation of Actions against Officers executing the Act.

Defendant may plead the General Issue, &c.

Costs.

Procedure for Penalties, &c.

nonsuited, or suffer a Discontinuance of such Action, or if upon any Demurrer in such Action Judgment shall be given for the Defendant thereon, then and in any of the Cases aforesaid such Defendant shall recover full Costs of Suit as between Solicitor and Client, and shall have such Remedy for recovering the same as any Defendant may have for his Costs in any other Case by Law.

Limitation of legal Proceedings generally.

XCIV. Where no Time is expressly limited within which any Complaint or Information is to be made or laid for any Breach or Nonperformance of any of the Requirements of this Act, the Complaint shall be made or the Information laid within Twelve Calendar Months from the Time when the Matter of such Complaint or Information respectively arose, or in case the Master of any Ship is the Offender or Party complained against, within Twelve Calendar Months next after his Return to the Country in which the Matter of Complaint or Information arose.

Colonial Voyages.

Colonial Voyages defined.

XCV. And whereas it is expedient to provide in certain Cases for the Carriage of Passengers by Sea from Her Majesty's Possessions abroad: Be it therefore enacted as follows: For the Purposes of this Act the Term "Colonial Voyage" shall signify any Voyage from any Place within any of such Possessions (except the Territories under the Government of the *East India* Company and the Island of *Hong Kong*) to any Place whatever, where the Distance between such Places shall exceed Four hundred Miles, or the Duration of the Voyage, to be prescribed as herein-after mentioned, shall exceed Three Days.

This Act to apply to all Colonial Voyages, except as relates to Matters herein named.

XCVI. This Act shall apply, so far as the same is applicable, to all Ships carrying Passengers on any such "Colonial Voyage," except as to such Parts of the Act as relate to the following Matters; (that is to say,)

1. To Passage Brokers and their Licences:
2. To Passengers Contract Tickets:
3. To Emigrant Runners:
4. To the giving Bond to Her Majesty:
5. To the keeping on board a Copy of this Act:
6. To Orders in Council regulating Emigration from the United Kingdom, or prescribing Rules for promoting Health, Cleanliness, Order, and Ventilation:

If any Colonial Voyage be less than Three Weeks, this Act not to apply to Subjects herein named.

Provided that if the prescribed Duration of any "Colonial Voyage" be less than Three Weeks, then, in addition to the Matters lastly hereinbefore excepted, the Provisions of this Act shall not extend or apply, so far as they relate to the following Subjects; (namely,)

The Construction or Thickness of the Decks:

The Berths and Berthing:

The

The Height between Decks:
Privies:
Hospitals:
Light and Ventilation:
Manning:
Passengers Stewards:
Passengers Cooks and Cooking Apparatus:
The Surgeon, and Medicine Chest:
The Maintenance of Passengers for Forty-eight Hours after Arrival:

Colonial Voyages.

Provided also, that in the Case of such "Colonial Voyages" whereof the prescribed Duration is less than Three Weeks, the Requirements of this Act respecting the Issue of Provisions shall not, except as to the Issue of Water, be applicable to any Passenger who may have contracted to furnish his own Provisions.

XCVII. It shall be lawful for the Governor of each of Her Majesty's Possessions abroad, by any Proclamation to be by him from Time to Time issued for that Purpose (which shall take effect from the issuing thereof), to declare what shall be deemed for the Purposes of this Act to be the Length of the Voyage of any Ship carrying Passengers from such Possession to any other Place whatsoever, and to prescribe such Scale of Diet for the Use of the Passengers during the Voyage as he shall think proper, and also to declare what Medicines, Medical Comforts, Medical Instruments, and other Matters shall be deemed necessary for the Medical Treatment of the Passengers during such "Colonial Voyage;" and the Provisions and Requirements of every such Proclamation shall be enforced in all Her Majesty's Dominions as if they were incorporated in this Act, and in like Manner as the Provisions of this Act may be enforced; and a Copy of any such Proclamation, purporting to be under the Hand of the Governor of the Colony wherein the same may have been issued, and under the public Seal of such Colony, shall in any Part of Her Majesty's Dominions wherein the same shall be produced be received as good and sufficient Evidence of the due issuing and of the Contents of such Proclamation, unless it shall be proved that such Copy is not genuine.

Governor of Colonies may, by Proclamation, declare Length of Voyage, and prescribe Scale of Diet, Medicines, and Medical Comforts.

Copies of Proclamations to be received as Evidence.

XCVIII. It shall be lawful for the Governors of any such Possessions respectively to authorize such Person or Persons as they may think fit to make the like Survey and Examination of "Passenger Ships" sailing from such Possessions respectively as is herein-before required to be made by Two or more competent Surveyors in respect of "Passenger Ships" sailing from the United Kingdom, and also to authorize in such Cases, as to such Governors may seem proper, any competent

Provision for Survey of Ships in the Colonies, and for appointing Surgeons thereto.

Colonial Voyages.

competent Person to act as Medical Practitioner on board any "Passenger Ship" proceeding on a "Colonial Voyage."

Power to the Governor General of India in Council, by any Act to be passed for that Purpose, to adopt this Act for India, and to make Rules respecting Food, Passengers, Surgeons, &c.,

XCIX. This Act shall not apply to any of the Territories or Places under the Government of the *East India* Company: It shall, however, be lawful for the Governor General of *India* in Council, from Time to Time, by any Act or Acts to be passed for that Purpose, to declare that this Act or any Part thereof shall apply to the Carriage of Passengers upon any Voyage from any Ports or Places within such Territories, to be specified in such Act or Acts, to any other Places whatsoever, to be also specified in such Act or Acts; and also in like Manner to authorize the Substitution, as respects such Voyages, of other Articles of Food and Provisions for those herein-before enumerated; and to declare the Rule of Computation by which the Length of any such Voyage shall be estimated; and to determine the Persons or Officers who in such Territories shall be entitled to exercise or perform the Powers, Functions, or Duties herein-before given to or imposed upon the Emigration Officers and Officers of Customs in the United Kingdom; and to authorize the Employment on board any Ship of a Medical Practitioner duly qualified by Law to practise as a Physician, Surgeon, or Apothecary within such Territories; and to declare for the Purposes of this Act the Space necessary for Passengers, and the Age at which Two Children shall be considered equal to One Statute Adult, in Ships that may clear out from any Port or Place within such Territories; and also to declare in what Manner, and before what Authorities, and by what Form of Proceedings, the Penalties imposed and the Sums of Money made recoverable by this Act shall be sued for and recovered within such Territories, and to what Uses such Penalties shall be applied: And on the passing of such *Indian* Act or Acts, and whilst the same shall remain in force, all such Parts of this Act as shall be adopted therein shall apply to and extend to the Carriage of Passengers upon such Voyages as in the said *Indian* Act or Acts shall be specified. The Provisions of such *Indian* Act shall be enforced in all Her Majesty's Possessions in like Manner as the Provisions of this Act may be enforced: Every such *Indian* Act shall be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England*, to be laid before both Houses of Parliament, as in the Case of any other Law made by the Governor General in Council.

and to declare in what Manner Penalties, &c. may be sued for and recovered.

Indian Act may be enforced in the Colonies in like Manner as this Act.

Voyages to the United Kingdom.

List of Passengers brought into the United

C. The Master of every Ship bringing Passengers into the United Kingdom from any Place out of *Europe*, and not within the *Mediterranean Sea*, shall, within Twenty-four Hours after Arrival, deliver to the Emigration Officer or his Assistant, or in their Absence to the Chief Officer of Customs at the Port of Arrival, a correct List, signed

signed by such Master, and specifying the Names, Ages, and Callings of all the Passengers embarked, and also the Port or Ports at which they respectively may have embarked, and showing which, if any of them, may have died, with the supposed Cause of Death, or been born on the Voyage; and if any Master shall fail so to deliver such List, or if the same shall be wilfully false, he shall, on Conviction, as herein-before mentioned, be liable to a Penalty not exceeding Fifty Pounds. Such Emigration or Customs Officer shall, upon receipt of such List, transmit the Particulars respecting any Passenger named therein who may have died, with the supposed Cause of Death, or been born on the Voyage, to the Registrar General of Births, Deaths, and Marriages, who shall file the same, and enter a Copy thereof under his Hand in the "Marine Register Book," which Entry shall be dealt with and be of the same Value as Evidence as any other Entry made in such Book under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England.

Voyages to the United Kingdom.

Kingdom to be delivered by the Master of the Ship to the Emigration Officer.

Penalty for Neglect.

Returns of Births and Deaths at Sea to be made to the Registrar General.

6 & 7 W. 4. c. 86.

CI. If any Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall have on board a greater Number of Passengers or Persons than in the Proportions respectively prescribed in the Fourteenth Section of this Act for Ships carrying Passengers from the United Kingdom, the Master of such Ship shall be liable, on such Conviction as herein-before mentioned, to a Penalty not exceeding Ten Pounds nor less than Five Pounds for each such Person or Statute Adult constituting any such Excess.

Penalty on Masters for having on board a greater Number of Persons than prescribed by Section 14. of this Act.

CII. The Master of every Passenger Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall make to each Statute Adult during the Voyage, including the Time of Detention, if any, at any Port or Place before the Termination thereof, Issues of pure Water and of good and wholesome Provisions in a sweet Condition, in Quantities not less in Amount than is prescribed in the Thirty-fifth Section of this Act for Passengers proceeding from the United Kingdom; and in case of Noncompliance with any of the Requirements of this Section the Master of such Ship shall, on such Conviction as herein-before mentioned, be liable for each Offence to a Penalty not exceeding Fifty Pounds.

Provisions and Water to be issued to Passengers brought into the United Kingdom the same as in Ships carrying Passengers from the United Kingdom.

Penalty for Default.

CIII. The Schedules to this Act shall be deemed to be Part of this Act, and all the Directions therein contained shall be duly followed and enforced, under a Penalty not exceeding Ten Pounds on the Person failing to obey the same respectively.

Schedules to be Part of the Act.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

FORM of CERTIFICATE exempting a MAIL STEAMER from the Provisions of the British Passengers Act, 1855.

N.B.—This Certificate must be produced, on Demand, to the Emigration Officer or his Assistant, or if there be no such Officer to the Chief Officer of Customs at the Port of Clearance or Port of Departure, by the Master of any Steam Vessel claiming Exemption from the Passengers Act, otherwise the Exemption will not be allowed.

This is to certify that the Steam Vessel of Tons, *registered* (a) Tonnage, belonging to the Port of , is duly authorized to carry Mails under a Contract with the Government of (b) between (b) and (b) , and is therefore exempt from the Operations of the "Passengers Act, 1855," from the Date hereof to the Day of 18 .

(a) Omit this Word if inapplicable in the Case of a Foreign Vessel.

(b) Insert here the Name of the State.

Given under my Hand at , this Day of 18 .

(Signature) ——— Postmaster-General of the United Kingdom *or his Deputy* (*or* Governor *or* Postmaster-General, *&c.* of [*name the Colony or Foreign State*], *as the Case may be*).

BRITISH CONSUL'S CERTIFICATE in the Case of a Foreign Steam Vessel.

The above Signature is to the best of my Belief the Signature of the [*here insert the Title of the Officer signing the preceding Certificate*], the Officer duly authorized by the Government of to grant the same.

(Signature) ——— Her Britannic Majesty's Consul-General, Consul, *or* Vice-Consul of (*as the Case may be*).

SCHE-

SCHEDULE (B.)

Form of Passengers List.

Ship's Name.	Master's Name.	Tons per Register.	Aggregate Number of Superficial Feet in the several Compartments set apart for Passengers other than Cabin Passengers.	Total Number of Statute Adults, exclusive of Master, Crew, and Cabin Passengers, which the Ship can legally carry.	Where bound.

I hereby certify, That the Provisions actually laden on board this Ship are sufficient, according to the Requirements of the Passengers Act, for Statute Adults for a Voyage of Days.

(Signature) _____ Master.

Date _____ 185 .

Names and Descriptions of Passengers.

Ports of Embarkation.	Names of Passengers.	Age of each Adult of 12 Years and upwards. Married. Male.	Married. Female.	Single. Male.	Single. Female.	Children between 1 and 12 Years. Male.	Children between 1 and 12 Years. Female.	Infants. Male	Infants. Female	Profession, Occupation, or Calling of Passenger.	State whether English, Scotch, or Irish.	Port at which Passengers have contracted to land.

Summary.

	Number of Souls. English.	Scotch.	Irish.	Total.	Equal to Statute Adults.
Adults - - - -					
Children between 1 and 12 -					
Infants - - -					
Total - - -					

We hereby certify, That the above is a correct List of the Names and Descriptions of all the Passengers who embarked at the Port of _____

(Signed) Master.

Emigration Officer.

(Countersigned) Officer of Customs at _____ .

Date _____ 185 .

N.B.—Lines should be ruled in the same Form for any Additions to the List after the Ship first clears out; and similar Certificates be subjoined to such Additions, according to the Requirements of the Act.

SCHE-

SCHEDULE (C.)

FORM of BOND to be given by the MASTER and by the OWNER or CHARTERER of a "Passenger Ship."

KNOW all Men by these Presents, that we,* are held and firmly bound unto our Sovereign by the Grace of God, of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of Two thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty

* Insert here the Christian and Surnames in full, with Occupations and Addresses of each of the Two Obligors.

WHEREAS by the "Passengers Act, 1855," it is amongst other things enacted, that before any "Passenger Ship" shall clear out or proceed to Sea, the Master together with the Owner or Charterer of the Ship, or in the Absence of such Owner or Charterer, or if the Master be the Owner or Charterer, One other good and sufficient Person, to be approved by the Chief Officer of Customs at the Port of Clearance, shall enter into a Bond to Majesty, Heirs and Successors, in the Sum of Two thousand Pounds:

Now the Condition of this Obligation is such, that if the Ship whereof the above bounden is Master, bound to is in all respects seaworthy, *[and if the said Ship shall call at the Port of and there shall be shipped on board at such Port pure Water for the Use of the Passengers, sufficient in Quantity to afford an Allowance of Three Quarts daily to each Statute Adult for the Period of Days on the Voyage from such Port to the final Port or Place of Discharge of such Vessel.] and if (notwithstanding any Penalty by the said Act imposed, and whether the same may have been sued for and recovered or not,) all and every the Requirements of the said Passengers Act, 1855, (except such of them as relate exclusively to Passage Brokers and Runners) and of the Emigration Commissioners acting in the Manner prescribed by the said Act, and of any Order passed by Her Majesty in Council relating to "Passenger Ships" and now in force, shall in all respects be well and truly performed † [and if the Master for the Time being of the said Ship shall submit himself, in like Manner as a British Subject being the Master of a British Passenger Ship, to the Jurisdiction of the Tribunals in Majesty's Possessions abroad, empowered by the said Act to adjudicate on Offences committed against the said Act,] and if moreover all Penalties, Fines, and Forfeitures which the Master of such Ship may be adjudged to pay for or in respect of the Breach or Nonfulfilment of any of such Requirements as aforesaid shall be well and truly paid, and if all Expenses incurred by the Secretary of State or any Governor or British Consular Officer under the Provisions of this Act shall also be well and truly paid, then this Obligation to be void, otherwise to remain in full force and virtue.

* The Clause within Brackets is to be inserted only when the Ship is to call at an intermediate Port to take in Water as provided by s. 34. of the Act.

† This Clause to be inserted only in the Case of a Foreign Passenger Ship proceeding to any of the British Colonies.

Signed, sealed, and delivered by the above bounden and in the Presence of ‡

‡ Insert Names and Addresses in full of the Witnesses

§ [I hereby certify, that the above Bond was duly signed, sealed, and delivered according to the Law of Great Britain by the said Master of the said Ship and by the said (*other Obligor*)].

(Signature) { Chief Officer of Customs for the Port of

(Date) 185 .

§ Certificate to be signed by the Chief Officer of Customs and forwarded with the Bond to the Colony, according to s. 64. of the Act.

SCHE-

SCHEDULE (D.)

FORM of PASSAGE BROKER'S ANNUAL BOND, with Two Sureties, to be approved by the Emigration Officer at the nearest Port.

KNOW all Men by these Presents, That we, *A. B.** of *C. D.* of, *&c.* and *E. F.* of, *&c.* are held and firmly bound unto our Sovereign by the Grace of God, of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of One thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty

* Insert Christian and Surnames in full, with Occupations and Address of each of the Parties.

WHEREAS by the "Passengers Act, 1855," it is amongst other things enacted, that no Person whatever, save as therein excepted, shall directly or indirectly act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to any such Place as aforesaid, unless such Person, with Two good and sufficient Sureties, to be approved by the Emigration Officer at the Port nearest the Place of Business of such Person, shall have previously entered into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds: And whereas the said *C. D.* and *E. F.* have been duly approved by the proper Emigration Officer as Sureties for the said *A. B.*:

Now the Condition of this Obligation is such, that if the above-bounden *A. B.*, and every Agent whom he may employ in his Business of a Passage Broker, shall well and truly observe and comply with all the Requirements of the said recited Act, so far as the same relate to Passage Brokers, and further shall well and truly pay all Fines, Forfeitures, and Penalties, and also all Sums of Money, by way of Subsistence Money, or of Return of Passage Money and Compensation, to any Passenger, or on his Account, together with all Costs which the above-bounden *A. B.*, or any of his Agents as aforesaid, may at any Time be adjudged to pay under or by virtue of any of the Provisions of the said recited Act, then and in such Case this Obligation to be void, otherwise to remain in full Force.

Signed, sealed, and delivered by the above-bounden *A. B.*, *C. D.*, and *E. F.*, in the Presence of*

* Insert the Names and Addresses in full of the Witnesses.

N.B.—This Bond is to be executed in Duplicate, in the Presence of and to be attested by an Emigration Officer or his Assistant, or an Officer of Customs, or a Magistrate, or a Notary Public. One Part is to be deposited with the Emigration Commissioners in London, and the other Part with the Emigration Officer at the Port nearest to the Place of Business of the Broker. Each Member of a Firm or Partnership who acts as a Passage Broker must give a separate Bond with Two Sureties.

[The Bond is exempt from Stamp Duty, but must be renewed annually with Licence.]

SCHEDULE (E.)

FORM of PASSAGE BROKER'S LICENCE.*

The Christian and Surnames in full, with the Address and Trade or Occupation of the Party applying for the Licence, must be correctly inserted. If a Member of a Firm, the Christian and Surnames of all the Members must be given.

A. B.† of in the having shown to the Satisfaction of me (*or* us) the undersigned, that he hath given Bond to Majesty, as by the "Passengers Act, 1855," required, and also given Fourteen Days previous Notice to the Emigration Commissioners of his Intention to make Application for a Licence to carry on the Business of a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, I (*or* we), the undersigned, having had no sufficient Cause shown to me (*or* us), and seeing no valid Reason why the said *A. B.* should not receive such Licence, do hereby license and authorize the said *A. B.* to carry on the Business of a Passage Broker as aforesaid until the End of the present Year, and Thirty-one Days afterwards, unless this Licence shall be sooner determined by Forfeiture for Misconduct on the Part of the said *A. B.* as in the "Passengers Act, 1855," is provided.

Given under my Hand and Seal (*or* our respective Hands and Seals), this Day of 185 at

Signature _____ (L. S.) { Justices of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff' *or* Steward Substitute, *as the Case may be.*

* N.B. Each Member of a Firm or Partnership who acts as a Passage Broker must have a separate Licence.

SCHEDULE (F.)

FORM of NOTICE to be given to the Emigration Commissioners by Justices granting a Licence.

Gentlemen,

THIS is to give you Notice, That we (*or* I), the undersigned, did on the Day of 185 license *A. B.* of* to carry on the Business of a Passage Broker under the Provisions of the "Passengers Act, 1855."

* Insert the Christian and Surnames in full, with the Address and Occupation of the Party.

Signatures _____ { Justices of the Peace, *or as the Case may be.*

Place _____

Date _____

To the Emigration Commissioners, London.

SCHE-

SCHEDULE (G.)

FORM of NOTICE to be given to the Emigration Commissioners by any Applicant for a Passage Broker's Licence.

Gentlemen,

I, *A. B.** of in do hereby give you Notice, That it is my Intention to apply, after the Expiration of Fourteen clear Days from the putting of this Notice into the Post, to the Justices to be assembled in Petty Sessions to be held † (*or* to the Police *or* Stipendiary Magistrate for the City *or* Borough *or* District of *or* if in Scotland to the Sheriff *or* Steward of *as the Case may be,*) for a Licence to carry on the Business of a Passage Broker under the Provisions of "The Passengers Act, 1855."

Signature _____

Date _____

To the Emigration Commissioners, London.

* The Christian Names and Surname in full, with the Address and Trade or Occupation of the Party applying for a Licence, must be here correctly inserted.

† The Place or District in which the Party giving the Notice has his Place of Business.

SCHEDULE (H.)

FORM of NOTICE to be given by the Justices to the Emigration Commissioners of Forfeiture of a Passage Broker's Licence.

Gentlemen,

THIS is to give you Notice, That the Licence granted on the Day of 185 to *A. B.** of in to act as a Passage Broker, was on the Day of now last past duly declared by me (*or* us) the undersigned Justices of the Peace in Petty Sessions assembled, to be forfeited.†

Signatures _____

Place and Date _____ 185

To the Emigration Commissioners, London.

* The Christian and Surnames in full, with the Address and Trade or Occupation of the Party, to be here inserted.

† Here state generally the Reason of Forfeiture

SCHEDULE (I.)

FORM of APPOINTMENT of Passage Broker's Agent.

I, *A. B.*, of, *&c.* (*or as the Case may be*) One of the Partners and on behalf of the Firm of, *&c.* (*name all the Partners and the Style of the Firm*) carrying on the Business of at , do hereby nominate and appoint you, *C. D.* of, *&c.*, to act as my Agent and on my Behalf in the Sale or Letting of Passages and otherwise in the Business of a Passage Broker, according to the Provisions of "The Passengers Act, 1855."

Signature in full _____

Place and Date _____ 185

Counter Signature _____ Emigration Officer at the Port of _____.

DIRECTIONS.

Insert in the proper Places the Christian and Surnames in full, with the correct Addresses and Designations of the Constituent and Agent respectively.

SCHE-

SCHEDULE (K.)

Counterpart of Cabin Passenger's Contract Ticket.

This Counterpart is to be produced by the Owner, Charterer, or Master of the Ship to the Emigration Officer at the Port of Embarkation (or, if no such Officer, to the Officer of Customs), or to any one appointed by him to receive it, under a Penalty for Default not exceeding £10.

These Directions form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Cabin Passenger engaging a Passage in a "Passenger Ship" from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, under a Penalty not exceeding £50.
2. Unless the Passengers are to have a free Table, the Victualling Scale for the Voyage must be appended to the Contract Ticket.
3. All the Blanks must be correctly and legibly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures only.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it, unless with his Consent.

Ship _____ of _____ Tons Register, to sail from _____ for _____ on the _____ Day of _____ 185__.

Names.	No. of Persons.	
	Adults above 12 Years.	Children 12 Years and under.
Total No. of Persons.		

In consideration of the Sum of £_____ I hereby agree with the Person named in the Margin hereof that such Person shall be provided with_____ Class Cabin Passage in the above-named Ship, to sail from the Port of_____ for the Port of_____ in_____ with not less than_____ Cubical Feet of Luggage for each Person, and that such Person shall be victualled as_____ Class Cabin Passenger during the Voyage, and the Time of Detention at any Place before its Termination; and I further engage to land the Person aforesaid, with_____ Luggage, at the last-mentioned Port, free of any Charge beyond the Passage Money aforesaid; and I hereby acknowledge to have received the Sum of £ ___ ___ in { full / part } Payment of such Passage Money.

Signature in full_____

Place and Date _____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at_____.

Total £_____

N.B.—This Contract Ticket is exempt from Stamp Duty

Cabin Passenger's Contract Ticket.

These Directions, and the "Notices to Passengers" below, form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Cabin Passenger engaging a Passage in a "Passenger Ship" from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, under a Penalty not exceeding £50.
2. Unless the Passengers are to have a free Table, the Victualling Scale for the Voyage must be appended to the Contract Ticket.
3. All the Blanks must be correctly and legibly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures only.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it, unless with his Consent.

Ship _____ of _____ Tons Register, to sail from _____ for _____ on the _____ Day of _____ 185__.

Names.	No. of Persons.	
	Adults above 12 Years.	Children 12 Years and under.
Total No. of Persons.		

In consideration of the Sum of £_____ I hereby agree with the Person named in the Margin hereof that such Person shall be provided with_____ Class Cabin Passage in the above-named Ship, to sail from the Port of_____ for the Port of_____ in_____ with not less than_____ Cubical Feet of Luggage for each Person, and that such Person shall be victualled as _____ Class Cabin Passenger during the Voyage, and the Time of Detention at any Place before its Termination; and I further engage to land the Person aforesaid, with _____ Luggage, at the last-mentioned Port, free of any Charge beyond the Passage Money aforesaid; and I hereby acknowledge to have received the Sum of £ ___ ___ in { full / part } Payment of such Passage Money.

Signature in full_____

Place and Date _____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at_____

Total £ ___ ___ ___ ___

Notice to Cabin Passengers.

1. If Cabin Passengers, through no Default of their own, fail to obtain a Passage in the Ship, and on the Day named in this Contract Ticket, they may obtain Redress for Breach of Contract by summary Process under the 73rd Section of the "Passengers Act, 1855."
2. Cabin Passengers must produce, on Demand, their Contract Tickets to the Government Emigration Officer under a Penalty not exceeding £10. This Ticket should therefore be preserved and kept in readiness to be produced on board the Ship.

N.B.—This Contract Ticket is exempt from Stamp Duty.

SCHEDULE (L.)

Ship_____.

Counterpart of Passengers Contract Ticket.

This Part of the Contract Ticket is to be separated from the other, and to be delivered by the Passenger to the Emigration Officer at the Port of Embarkation, (or, if no such Officer, to the Officer of Customs,) or to any one appointed by him to receive it, under a Penalty not exceeding £10.

Contract Ticket.

I engage that the Persons mentioned below shall be provided with a Steerage Passage to____ and be landed at the Port of_____ in____ in the Ship of____ Tons with not less than Ten Cubic Feet for Luggage for each Statute Adult, and shall be victualled during the whole Voyage according to the Dietary Scale prescribed by Law. The Ship to receive her Passengers at ___ on the ___ Day of 185__. Passage Money, including Government Dues, if any, and all Charges of Landing, £ .

Names.	Ages.

__Souls, equal to *_____ Statute Adults.

To be signed in full by the Party issuing the Ticket. ____

* Insert Number of Souls and of Statute Adults respectively.

Passenger's Contract Ticket.

These Directions, and the "Notices to Passengers" below, form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Passenger engaging a Passage from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea.
2. The Victualling Scale for the Voyage must be printed in the Body of the Ticket.
3. All the Blanks must be correctly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Passengers are to embark must be inserted in Words and not in Figures.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration, Addition, or Erasure made in it.

Ship_____ of_____ Tons Register, to take in Passengers at_____ for_____ on the_____ Day of 185__

Names.	Ages.	Equal to Statute Adults.

I engage that the Person named in the Margin hereof shall be provided with a Steerage Passage to, and shall be landed at, the Port of in _____ in the Ship _____ with not less than Ten Cubic Feet for Luggage for each Statute Adult, and shall be victualled during the Voyage and the Time of Detention at any Place before its Termination, according to the subjoined Scale, for the Sum of £ _____ including Government Dues before Embarkation, and Head Money, if any, at the Place of Landing, and every other Charge, except Freight for Excess of Luggage beyond the Quantity above specified, and I hereby acknowledge to have received the Sum of £ _____ in {full / part} Payment.

The following Quantities, at least, of Water and Provisions, (to be issued daily,) will be supplied by the Master of the Ship, as required by Law; viz., to each Statute Adult 3 Quarts of Water daily, exclusive of what is necessary for cooking the Articles required by the Passengers Act to be issued in a cooked State; and a Weekly Allowance of Provisions according to the following Scale:

[Here insert the Victualling Scale intended to be used on the Voyage. This must be either the Scale prescribed in the 35th Section of the Passengers Act, 1855, or that Scale modified by the Introduction of Articles authorized by the Act, to be substituted for Oatmeal, Rice, and Potatoes.]

[N.B.—If Mess Utensils and Bedding are to be provided by the Ship, the Stipulation must be inserted here.]

Signature in full_____

Place and Date_____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at _____

Total £_____

Notices to Passengers.

1. If Passengers, through no Default of their own, are not received on board on the Day named in their Contract Tickets, or fail to obtain a Passage in the Ship, they should apply to the Government Emigration Officer at the Port, who will assist them in obtaining Redress under the Passengers Act.
2. Passengers should carefully keep this Part of their Contract Ticket till after the End of the Voyage.

N.B.—This Contract Ticket is exempt from Stamp Duty.

SCHEDULE (M.)

FORM of EMIGRANT RUNNER'S Annual Licence.

A. B. (a) of in the having made Application in Writing to us, the undersigned Justices of the Peace assembled in Petty Sessions, for the (b) of to grant to him a Licence to enable him to be registered as an Emigrant Runner in and for (b) , and the said [*A.B.*] having also been recommended as a proper Person to receive such Licence by an Emigration Officer, *or* by the Chief Constable [*or other Head Officer of Police, as the Case may be*] of [*the District, Town, or Place in which the said A.B. is to carry on his Business*]: We, the under-mentioned Justices, having no sufficient Cause shown to us, and seeing of ourselves no valid Reason why the said *A.B.* should not receive such Licence, do hereby grant to him this Licence for the Purposes aforesaid, subject nevertheless to be revoked for Misconduct on the Part of the said *A.B.*, as in the "Passengers Act, 1855," is provided.

(a) The Christian and Surnames in full, with the Address of the Party applying for the Licence, must be here correctly inserted.

(b) City, Town, or District in which the Emigrant Runner is to carry on his Business.

SCHEDULE (N.)

FORM of SUMMONS for a DEFENDANT or a WITNESS.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District of (*as the Case may be*).

THIS is to command you to appear without fail on the Day of instant (*or* next) at o'Clock in the noon at — before me, or other the Magistrate or Justices of the Peace then and there present (1) [to answer the Complaint of (an Emigration Officer, *or* Assistant Emigration Officer, *or* Officer of Customs, or (*in the Colonies* a Government Emigration *or* Immigration Agent, *as the Case may be*,) for a Breach of the Section (*or* Sections, *as the Case may be*,) of the Passengers Act, 1855,] (2) [*or* to give Evidence in the Complaint of *A.B.* against *C.D.* for Breach of the Passengers Act, 1855].

(1) Insert this when the Defendant is summoned.

(2) Insert this in case a Witness is summoned.

Signed _____ Justice of the Peace, *or* Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff Substitute, *or* Steward Substitute, *as the Case may be.*

Dated this Day of One thousand eight hundred and

To _____

SCHE-

SCHEDULE (O.)

FORM of CONVICTION and ORDER of ADJUDICATION under the Passengers Act, 1855, when the DEFENDANT appears.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District, *or* Stewartry of (*as the Case may be*).

BE it remembered, That on the Day of instant, *C.D.* of personally came before me (*or* us, *as the Case may be*,) at to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections, *as the Case may be*,) of the Passengers Act, 1855, in that, &c. (2) *or* (*as the Case may be*), for a Breach of the Contract contained in a certain Contract Ticket, dated , and issued by to for a Passage to in the Ship .

Whereupon I (*or* we) did proceed to examine into the Complaint so made against the said *C.D.*, and the same having been (admitted to be true by the said *C.D.*, *or as the Case may be*,) fully proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) (4) [do convict him the said *C.D.* of the Offence (*or* Offences) aforesaid; and I (*or* we)] do adjudge and order that he shall pay to the said *A.B.* as such (Emigration Officer, *or* Government Emigration Agent, *or* Officer of Customs, *or* Passenger of the Ship , *as the Case may be*,) the Sum of *l.* by way of Penalty (*or* by way of Subsistence Money, *or* of Return of Passage Money, *or* as Damages for Breach of such Contract as aforesaid, *as the Case may be*,) [(5) and shall also pay to the said *A.B.* the further Sum of *l.* as Compensation for the Loss and Inconvenience occasioned to (6) by the Loss of Passage in the Ship].

(7) [And I (*or* we) do also adjudge and order that the Licence granted to the said *C.D.* to act as a Passage Broker be forfeited.]

(8) [And I (*or* we) do hereby also adjudge and order that the Sum of *l.* being a Part not exceeding One Moiety of the said Penalty of *l.*, be applied to compensate (9) for the Wrong or Damage which he (she *or* they) has (*or* have) sustained in this Matter.

And I (*or* we) do further adjudge and order, that the said *C.D.* shall forthwith pay to the said *A.B.* the further Sum of *l.* for the Costs and Charges by him the said *A.B.* incurred in the Prosecution of this Matter.

Given under my Hand and Seal (*or* our Hands and Seal), this Day of One thousand eight hundred and

Signature _____ Justice of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff *or* Stewards Substitute, *as the Case may be*, for _____

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship as the Case may be.

(2) Here describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(3) Name the Witness, or Witnesses if more than One.

(4) Omit these Words where there is no Conviction, but only an Order of Adjudication.

(5) Insert this in Cases where Compensation is awarded.

(6) Name the Passenger or Passengers by or on whose Behalf the Compensation is awarded.

(7) Insert this where the Offender is a Passage Broker, and his Licence is declared forfeited.

(8) Insert this where Compensation out of the Penalty is awarded to any aggrieved Passenger.

(9) Name the Passenger or Passengers.

(10) State County or District, &c. as the Case may be.

FORM

FORM of CONVICTION and ORDER of ADJUDICATION where the DEFENDANT does not appear.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District, *or* Stewartry of , *as the Case may be.*

BE it remembered, That *C.D.* of being duly summoned to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections) of the Passengers Act, 1855, in that, *&c.* (2) *or* (*as the Case may be*), for a Breach of the Contract contained in a certain Contract Ticket, dated and issued by to for a Passage to in the Ship , did not appear before me (*or* us), pursuant to the said Summons. Nevertheless, I (*or* we) did proceed to examine into the Complaint so preferred against the said *C.D.*, and the same having been duly proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) do, *&c.* (*proceed as in preceding Form of Conviction according to the Circumstances of the Case*).

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship , as the Case may be.
(2) Describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.
(3) Name the Witness or Witnesses.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. CXX.

An Act for the better Local Management of the Metropolis. [14th *August* 1855.]

WHEREAS it is expedient that Provision should be made for the better Local Management of the Metropolis in respect of the Sewerage and Drainage, and the paving, cleansing, lighting, and Improvements thereof: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Election of Vestries and Auditors in Parishes in Schedules (A.) and (B.)

I. The Act of the Session holden in the First and Second Years of King *William* the Fourth, Chapter Sixty, "For the better Regu- "lation of Vestries, and for the Appointment of Auditors of Accounts "in certain Parishes of *England* and *Wales*," shall be repealed, from and after the passing of this Act, so far as regards any Parish mentioned in either of the Schedules (A.) and (B.) to this Act: Provided always,

1 & 2 W. 4. c. 60. repealed so far as regards Parishes in Schedules (A.) and (B.)

always, that the Vestry and Auditors already elected for any such Parish under the said Act shall continue to be such Vestry and Auditors until the First Election of Vestrymen and Auditors for such Parish under this Act has taken place, but no longer; and the Provisions of the said Act of King *William* the Fourth shall continue applicable to every such Vestry and to their Proceedings, and the Books in which the same are entered, and to such Auditors and their Proceedings accordingly.

Vestries in Parishes named in either of the Schedules (A.) and (B.) to consist of not less than 18 or more than 120 Persons qualified and elected as after provided.

II. The Vestry in every Parish mentioned in either of the Schedules (A.) and (B.) to this Act shall consist of a certain Number of Persons qualified and elected as herein provided; (that is to say,) Eighteen Vestrymen for every Parish in which the Number of rated Householders shall not exceed One thousand; and Six additional Vestrymen, that is, Twenty-four Vestrymen for every Parish in which the Number of rated Householders shall exceed One thousand; and Twelve additional Vestrymen, that is, Thirty-six Vestrymen, for every Parish in which the Number of rated Householders shall exceed Two thousand; and so on at the Proportion of Twelve additional Vestrymen for every Thousand rated Householders: Provided always, that in no Case the Number of Vestrymen shall exceed One hundred and twenty: Provided also, that the Incumbent and Churchwardens of each such Parish shall constitute a Part of the Vestry, and shall vote therein, in addition to the elected Vestrymen: Provided also, that every District Rector now constituting in any such Parish a Part of the Vestry thereof shall continue to constitute a Part of the Vestry thereof under this Act: Provided also, that where in any Parish the whole Number of Persons qualified to be Vestrymen shall not amount to Eighteen, the Vestry thereof shall consist of so many Persons as are so qualified, anything in this Act to the contrary notwithstanding.

Such Parishes with more than 2,000 rated Householders to be divided into Wards.

III. Each of the said Parishes which at the Time of the passing of this Act contains more than Two thousand rated Householders shall be divided into Wards; and it shall be lawful for such Person or Persons as may be appointed for this Purpose as herein provided to determine and set out, on or before the Tenth Day of *October* next, the Number, Extent, Limits, and Boundary Lines of such Wards, but so nevertheless that no Ward shall contain less than Five hundred rated Householders, and that the whole Number of Wards in any Parish shall not exceed Eight; and the Person or Persons setting out such Wards in any Parish shall apportion among the several Wards the Number of Vestrymen to be elected for such Parish, and shall, in assigning the Number of Vestrymen to each Ward, have regard, as far

as

as in his or their Judgment it is practicable, as well to the Number of Persons rated to the Relief of the Poor in each Ward as to the aggregate Amount of the Sums at which all such Persons are rated; and the Number of Vestrymen assigned to each Ward shall be a Number divisible by Three; and a Copy of the Particulars of such Division and Apportionment shall be forthwith transmitted to One of Her Majesty's Principal Secretaries of State, and also to the Vestry Clerk of the Parish to which such Division and Apportionment relate; and if Her Majesty, by the Advice of Her Privy Council, approve of such Division and Apportionment, the Particulars thereof shall be published in the *London Gazette;* and the Parish shall, after such Publication, be deemed to be divided into such Wards so determined and set out, and such Division shall continue and be in force until the same be altered as herein provided; and the Number of Vestrymen assigned to each Ward shall be the Number to be elected for such Ward until altered as aforesaid: Provided always, that if Her Majesty, by Advice of Her Privy Council, do not approve such Division and Apportionment, such Publication as aforesaid shall nevertheless be made, and such Division and Apportionment be in force for the Purpose of any Election under the Provisions of this Act, until such Time as Her Majesty, by Advice of Her Privy Council, upon further Information and Report from any such Person or Persons, definitively approve the Division of such Parish into Wards, and of the Number of Vestrymen assigned to each Ward in manner herein-before mentioned: Provided also, that where any Parish is already divided into Wards under any Local Act such Parish shall be deemed to be divided into such Wards for the Purposes of this Act, without any Division of such Parish into Wards being made as herein-before provided, but the Number of Vestrymen to be elected for such Parish shall be apportioned as aforesaid among the Wards of such Parish by such Person or Persons as may be appointed for that Purpose as herein provided.

Power to Secretary of State to appoint Persons to set out the Wards, and apportion Number of Vestrymen to be elected.

IV. One of Her Majesty's Principal Secretaries of State shall, as soon as conveniently may be after the passing of this Act, appoint not more than Four fit Persons, the Names of such Persons to be published in the *London Gazette*, to set out the Wards into which the said Parishes are by this Act directed to be divided, and to apportion the Number of Vestrymen to be elected for such Parishes respectively among such Wards, and also to apportion the Number of Vestrymen to be elected for any Parish already divided into Wards as aforesaid among such Wards; and any One or more of such Persons may be appointed to act as aforesaid separately from any other or others of them as such Secretary of State may see fit; and such Secretary

Secretary of State shall, in case Circumstances appear to him so to require, appoint any other fit Person or Persons in the Place of or in addition to any such Person or Persons originally appointed under this Provision; and every Person appointed to set out such Wards shall be paid at a Rate not exceeding the Sum of Five Guineas for every Day that he is employed by virtue of such Appointment, and the Amount payable to him in respect of such Employment in each Parish shall be determined and certified by the Commissioners of Her Majesty's Treasury, and the Amount so certified shall be paid out of the Poor Rates of the Parish.

If relative Amounts of Population of Wards vary in any future Census, the Numbers of Vestrymen may be altered.

V. When at any Time, upon any Account taken of the Population by the Authority of Parliament, the relative Numbers of the inhabited Houses in the several Wards of any Parish divided into Wards as aforesaid are found to have varied from those shown by the last previous Census, it shall be lawful for the Metropolitan Board of Works, upon the Application of the Vestry or any Ratepayers of such Parish, to alter the Number of Vestrymen assigned to such Wards or any of them, but so that the Number of Vestrymen assigned to each Ward shall be a Number divisible by Three.

Qualification of Vestrymen.

VI. The Vestry elected under this Act in any Parish shall consist of Persons rated or assessed to the Relief of the Poor upon a Rental of not less than Forty Pounds *per Annum;* and no Person shall be capable of acting or being elected as One of such Vestry for any Parish unless he be the Occupier of a House, Lands, Tenements, or Hereditaments in such Parish, and be rated or assessed as aforesaid upon such Rental as aforesaid within such Parish: Provided always, that in any Parish in which the Number of Poor Rate Assessments at Forty Pounds or upwards does not exceed One Sixth of the whole Number of such Assessments it shall not be necessary, in order to qualify a Person to be a Vestryman, that the Amount of Rental upon which he is rated or assessed as aforesaid exceed Twenty-five Pounds: Provided also, that the joint Occupation of any such Premises as aforesaid, and a joint Rating in respect thereof, shall be sufficient to qualify each joint Occupier in case the Amount of Rental on which all such Occupiers are jointly rated will, when divided by the Number of Occupiers, give for each such Occupier a Sum not less than the Amount herein-before required.

As to the First Election of Vestrymen under this Act.

VII. The First Election of Vestrymen under this Act in every Parish shall be holden in the Month of *November* next after the passing of this Act, and between the Fifth and Twenty-first Days of that Month, and the Day on which such Election shall commence shall

shall be appointed by the Churchwardens of the Parish, and Twenty-one Days previously to the Day of Election Notice of such Election shall be given in manner herein-after directed concerning Notice of Election of Vestrymen and Auditors, and the next such Election shall take place on such Day in the Month of *May* in the Year One thousand eight hundred and fifty-seven as the Vestry shall appoint, and every subsequent Election shall take place annually in the Month of *May* in every Year as the Vestry appoint.

The full Number of Vestrymen to be chosen at First Election, and existing Vestries superseded.

VIII. At the First such Election of Vestrymen as aforesaid for any Parish the full Number of Elective Vestrymen of which such Vestry is to consist as herein-before mentioned shall be elected, and such Vestrymen, with such other Persons as herein-before mentioned, shall forthwith be deemed to constitute the Vestry of such Parish, and shall supersede any existing Vestry therein, and exercise the Powers and Privileges held by such existing Vestry, save as in this Act otherwise provided; and the Authority of such Vestry may be pleaded before any Justice or Justices of the Peace or in any Court of Law in regard to all Parochial Property or Monies due, or Holdings or Contracts, or other Documents of the like Nature, under the Control or in the Keeping of such existing Vestry; and all Parish Officers or Boards shall account to them in like Manner as they are by Law liable to account to such existing Vestry.

As to the Term of Office of Vestrymen elected at First Election, and as to future Elections.

IX. One Third of the Vestrymen first elected under this Act in any Parish, or, where such Parish is divided into Wards under this Act, in each Ward of such Parish, shall go out of Office at the Time appointed for the Election of Vestrymen in the Year One thousand eight hundred and fifty-seven, One other Third of them at the Time appointed for such Election in the Year One thousand eight hundred and fifty-eight, and the remaining Third at the Time appointed for such Election in the Year One thousand eight hundred and fifty-nine; and the Vestry shall, at some Meeting before the Time of the Election in One thousand eight hundred and fifty-seven, determine by Lot which of the Members first elected shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members from Time to Time elected at the annual Elections after the First Election shall go out of Office at the Time appointed for the annual Election in the Third following Year, except such Members as are elected to supply Vacancies occasioned otherwise than by Effluxion of Time; and such last-mentioned Members shall go out of Office at the respective Times

 when

when the Terms of Office of the Members in whose Places they are respectively elected would have expired by Effluxion of Time.

Vacancies to be filled up at annual Elections.

X. At every Election of Vestrymen under this Act, except the First, for any Parish or any Ward of any Parish, the Parishioners of such Parish entitled to vote in such Election shall elect as many Vestrymen as there are Vacancies in the Vestry, or among the Vestrymen elected for such Ward, whether such Vacancies be occasioned by the Expiration of the Term of Office, or by Death or otherwise.

Appointment of Auditors of Accounts for Parishes in Schedules (A.) and (B.)

XI. For every Parish mentioned in either of the Schedules (A.) and (B.) to this Act there shall be elected such Number as herein-after mentioned of the Ratepayers of the Parish who have signified in Writing their Assent to serve to be Auditors of Accounts, which Auditors shall be so elected at the same Times and in the same Manner as Members of the Vestry; and the Number of Ratepayers so to be elected Auditors in any Parish not divided into Wards under this Act shall be Five, and the Number of Ratepayers so to be elected Auditors in any Parish which is divided into Wards shall be the same as the Number of Wards, One Auditor being elected in each Ward: Provided always, that where the Number of Wards into which any Parish is divided exceeds Five, the Vestry of such Parish shall at their First Meeting after the Election of Auditors as aforesaid, in any Year, elect by Ballot from among such Auditors Five of them, and the Five Persons so elected by Ballot shall be the Auditors for such Parish exclusively of any other Person or Persons who may have been elected an Auditor or Auditors for such Parish under the Provisions herein contained; and a List of the Five Persons so elected by the Vestry shall be forthwith published by the Churchwardens in the Parish as herein provided: Provided also, that no Person shall be eligible to fill the Office of Auditor of Accounts who is not qualified to fill the Office of Vestryman for the Parish; but no Person shall be eligible to fill the Office of Auditor who is a Member of the Vestry; and if any Person be chosen to be both a Member of the Vestry and Auditor of Accounts he shall be incapable of acting as a Vestryman.

As to the Term of Office of Auditors.

XII. The Auditors first elected under this Act in any Parish as aforesaid shall go out of Office at the Time appointed for the Election of Vestrymen and Auditors in the Year One thousand eight hundred and fifty-seven, and the Auditors then elected and to be thereafter elected shall go out of Office at the Election of Vestrymen and Auditors in the Year next following their Election.

XIII. The

XIII. The Churchwardens of every Parish mentioned in either of the said Schedules (A.) and (B.), which is not divided into Wards, shall, on some *Sunday* at least Twenty-one Days previously to the Day of annual Election of Vestrymen, cause to be published in such Parish as herein provided a Notice according to the following Form: Notice of Elections.

'Parish of [*here insert Name of Parish*].

'The Parishioners duly qualified according to the Provisions of the 'Act of the Session holden in the Eighteenth and Nineteenth Years 'of the Reign of Queen Victoria, intituled "An Act" [*here insert 'the Title of the Act*], are hereby required to meet at 'on the Day of conformably to the Provisions of the 'said Act, and then and there to consider of and elect fit and proper 'Persons to be Vestrymen and Auditors of Accounts of the Parish 'of for the ensuing Year [*the Words* "for the ensuing 'Year" *to be omitted in the Notice of the First Election*]; that is to 'say,

' Members of the Vestry,
' Auditors of Accounts.'

And the Churchwardens of every such Parish as aforesaid which is divided into Wards shall at the Time aforesaid cause to be published as herein provided, in each Ward of the Parish, a Notice according to the following Form:

'Parish of , Ward of [*inserting the Parish 'and Ward*].

'The Parishioners duly qualified according to the Provisions of 'the Act of Parliament of the Session holden in the Eighteenth and 'Nineteenth Years of the Reign of Queen Victoria, intituled "An 'Act" [*here insert the Title of this Act*], are hereby required to 'meet at on the Day of , 'conformably to the Provisions of the said Act, and then and there 'to consider of and elect fit and proper Persons to be 'Vestrymen and an Auditor of Accounts of the Parish of 'for the Ward of for the ensuing Year [*the Words* '"for the ensuing Year" *to be omitted in the Notice of the First* '*Election*]'.

XIV. Where any Parish is divided into Wards, the Churchwardens, Three clear Days at least before the Day of Election, shall appoint in Writing under their Hands a Person to preside at such Election as aforesaid in each of the said Wards, except any Ward in which One of the Churchwardens shall preside, and notify such Appointment to the Vestry Clerk of the Parish. Churchwardens to appoint Persons to preside at Ward Elections.

XV. The

Rate Collectors to assist at the Elections.

XV. The Rate Collectors, or Persons appointed by them, shall attend the Churchwardens and Persons presiding at Elections under this Act, and Inspectors of Votes, to assist in ascertaining that the Persons presenting themselves to vote are Parishioners rated to the Relief of the Poor in the Parish, or the respective Wards thereof, and duly qualified to vote at the Election.

Form of Proceeding at Elections.

XVI. On the Day of Election of Vestrymen and Auditors in any Parish under this Act the Parishioners then rated to the Relief of the Poor in the Parish, or, where the Parish is divided into Wards under this Act, in the Ward thereof for which the Election is holden, and who are desirous of voting, shall meet at the Place appointed for such Election, and shall then and there nominate Two Ratepayers of the Parish, or (if the Parish be divided into Wards) of the Ward for which the Election is holden, as fit and proper Persons to be Inspectors of Votes; and the Churchwardens, or, in the Case of a Ward Election, such One of the Churchwardens as is present thereat, or, where One of the Churchwardens is not present, the Person appointed by them to preside thereat, shall, immediately after such Nomination as aforesaid by the Parishioners, nominate Two other such Ratepayers to be such Inspectors; and after such Nominations the said Parishioners shall elect such Persons duly qualified as may be there proposed for the Offices of Vestrymen and Auditors or Auditor; and the Chairman at such Meeting shall declare the Names of the Parishioners who have been elected by a Majority of Votes at such Meeting: Provided nevertheless, that no Person shall be entitled to join or vote in any such Election for any Parish, or any Ward of any Parish, or be deemed a Ratepayer thereof, or be entitled to do any Act as such under this Act, unless he have been rated in such Parish to the Relief of the Poor for One Year next before the Election, and have paid all Parochial Rates, Taxes, and Assessments due from him at the Time of so voting or acting, except such as have been made or become due within Six Months immediately preceding such voting or acting.

Power to demand a Poll, which shall be taken by Ballot.

XVII. Provided always, That any Five Ratepayers may then and there, in Writing or otherwise, demand a Poll, which shall be taken by Ballot on the Day next following, and shall commence at Eight of the Clock in the Forenoon and close at such Hour as herein-after mentioned; that is to say, at Six of the Clock in the Afternoon in the Case of any Election to be holden in *November* One thousand eight hundred and fifty-five, and at Eight of the Clock in the Afternoon in all other Cases; each Ratepayer depositing as herein-after provided Two folded Papers, One of which Papers shall contain the Names of the

the Persons for whom such Parishioner may vote as fit and proper to be Members of the Vestry, and the other shall contain the Names or Name of the Persons or Person for whom such Parishioner may vote as fit and proper to be Auditors or Auditor of Accounts; and each Ratepayer shall have One Vote and no more for the Members of the Vestry, and One Vote and no more for the Auditors or Auditor of Accounts to be chosen in the said Parish or Ward.

Duty of Inspectors of Votes.

XVIII. The Persons voting shall deposit such folded Papers in Two separate Sets of Balloting Glasses or Boxes, One Set for Voting Papers for Members of Vestry, and another Set for the Voting Papers for Auditors or an Auditor; and the said Balloting Glasses or Boxes shall be closed at the Time herein-before fixed for the closing of the Poll; and the Inspectors for the Parish or Ward (as the Case may be) shall forthwith meet together, and proceed to examine the said Votes, and if necessary shall continue the Examination by Adjournments from Day to Day, not exceeding Two Days (*Sunday* excepted), until they have decided upon the Persons duly qualified according to the Provisions of this Act who may have been chosen to fill the aforesaid Offices.

Provision for Case of Equality of Votes.

XIX. In case an Equality of Votes appear to the aforesaid Inspectors to be given for any Two or more Persons to fill either of the said Offices, the Inspectors shall decide by Lot upon the Person to be chosen.

If in the Interval between Elections the Vestry of any Parish be reduced below Two Thirds, the Vacancies to be filled up as herein named.

XX. If in the Interval between any Election under this Act of Vestrymen in any Parish and the Time at which the next Election would in the Absence of this Enactment have taken place the Number of such Vestrymen be reduced below Two Thirds of the full Number, so many Vestrymen as may be requisite for filling up such Number shall be forthwith elected in like Manner as in the Case of the annual Election of such Vestrymen, and the Provisions of this Act shall be applicable in the Case of such Election accordingly, save that the Notice of Election shall be varied from the Form prescribed by this Act so far as may be necessary, and where such Parish is divided into Wards under this Act each Ward shall supply the Vacancies among the Members elected for the same; and every Vestryman elected under this Enactment shall go out of Office at the Time when the Term of Office of the Person in whose Place he is elected would have expired by Effluxion of Time.

Penalty for forging or falsifying any Voting

XXI. If any Person knowingly personate and falsely assume to vote in the Name of any Parishioner entitled to vote in any Election

 under

Paper or obstructing the Election.

under this Act, or forge or in any way falsify any Name or Writing in any Paper purporting to contain the Vote or Votes of any Parishioner voting in any such Election, or by any Contrivance attempt to obstruct or prevent the Purposes of any such Election, the Person so offending shall, upon Conviction before any Two or more Justices of the Peace having Jurisdiction in the Parish, be liable to a Penalty of not less than Ten and not more than Fifty Pounds, and in default of Payment thereof shall be imprisoned for a Term not exceeding Six nor less than Three Months.

A List of Persons elected Vestrymen and Auditors by Parishioners to be published.

XXII. The Inspectors shall, immediately after they have decided upon whom the aforesaid Elections have fallen, deliver to the Churchwardens, or to One of them, or other the Person presiding at the Election, a List of the Persons chosen by the Parishioners to act as Vestrymen and Auditors or an Auditor of Accounts; and the said List, or a Copy thereof, shall be published in the Parish as herein provided.

Penalty on Inspector for making incorrect Return.

XXIII. If any Inspector wilfully make or cause to be made an incorrect Return of the said Votes, every such Offender shall, upon Information laid by any Person before Two or more Justices of the Peace having Jurisdiction in the Parish, and upon Conviction for such Offence, be liable to a Penalty of not less than Twenty-five Pounds and not exceeding Fifty Pounds.

Vestries to provide Places for holding Elections, and pay Expenses of taking Poll, &c.

XXIV. The Vestry of every Parish mentioned in either of the Schedules (A.) and (B.) to this Act shall provide such Places as may be requisite for holding Elections of Vestrymen and Auditors under this Act, and taking the Poll thereat; and the Expenses of providing such Places, of publishing Notices, of taking the Poll, and of making the Return at Elections of Vestrymen and Auditors, shall be paid out of the Poor Rates of the Parish by Order of the Vestry: Provided always, that the Places requiring to be provided for the First Election under this Act of Vestrymen and Auditors in any Parish shall be provided by the Churchwardens, and the Expenses of providing the same shall be paid out of the Poor Rates, upon their Order.

As to Parishes having no Churchwardens.

XXV. The Provisions herein-before contained shall, so far as concerns any Parish in either of the said Schedules (A.) and (B.) in which there are no Churchwardens, be construed as referring to the Overseers of the Poor instead of the Churchwardens.

XXVI. Every

XXVI. Every Notice and List herein-before required to be published in any Parish or Ward of any Parish shall be so published by being fixed in some public and conspicuous Situation, on the Outside of the outer Door or outer Wall near the Door of every Church and Public Chapel in such Parish or Ward, including Places of Public Worship which do not belong to the Established Church, and if there be no such Building as aforesaid, then in some public and conspicuous Situation within such Parish or Ward.

How Notices and Lists to be published.

XXVII. If any Churchwarden, Overseer, Rate Collector, or other Parish Officer refuse or neglect to call any Meeting, or give any Notice, or do any other Act required of him under the Provisions of this Act, he shall be deemed guilty of a Misdemeanor.

Churchwardens, &c. not complying with Act guilty of Misdemeanor.

XXVIII. All Powers or Duties to be performed by the Vestry of any Parish under this Act may be exercised and performed respectively by the major Part of such Vestry assembled at any Meeting, there being not less than Five Vestrymen present at a Meeting of a Vestry which consists of not more than Eighteen elected Vestrymen, and not being less than Seven Vestrymen present at a Meeting of a Vestry which consists of Twenty-four elected Vestrymen and no more, and not being less than Nine Vestrymen present at a Meeting of a Vestry which consists of Thirty-six elected Vestrymen or upwards; and at every such Meeting all Questions shall be decided by the Votes of the Majority of the Vestrymen present, and the Vestry may act notwithstanding any Vacancies therein.

Quorum of Vestries.

XXIX. In any Case in which the Vestry-room of any such Parish as aforesaid is not sufficiently large and commodious for any Vestry Meeting, such Meeting shall be held elsewhere within the said Parish, but not in the Church or Chapel thereof.

Meetings not to be holden in the Church.

XXX. At every Meeting of any Vestry under this Act, in the Absence of the Persons authorized by Law or Custom to take the Chair, the Members present shall elect a Chairman for the Occasion before proceeding to other Business, and the Chairman, in case of an Equality of Votes on any Question, shall have a Second or Casting Vote.

Meeting to elect a Chairman.

Formation of Parishes into Districts, and Constitution of District Boards.

XXXI. For the Purposes of this Act the several Parishes mentioned in the Second Column of Schedule (B.) to this Act shall be united,

Parishes in Schedule (B.) to be united,

and form Districts, and District Boards constituted.

united, and form the respective Districts mentioned in conjunction therewith and named in the First Column of the same Schedule; and there shall be a Board of Works for each such District, composed of the Members elected as herein-after mentioned for the Parishes forming such District.

Vestries to elect Members of District Boards.

XXXII. The Vestry constituted by this Act in every Parish in any such District shall on the Twenty-eighth Day of *November* in the Year One thousand eight hundred and fifty-five elect the Number of Persons mentioned in the Third Column of the said Schedule (B.) in conjunction with such Parish to be a Member or Members of the Board of Works for such District.

If relative Numbers of inhabited Houses in Parishes in any District vary on any future Census, the Numbers of Members may be altered.

XXXIII. When at any Time hereafter, upon any Account taken of the Population by the Authority of Parliament, the relative Numbers of the inhabited Houses in the several Parishes forming any such District are found to have varied from those shown by the last previous Census, it shall be lawful for the Metropolitan Board of Works constituted by this Act, upon the Application of the Vestry or any Ratepayers of any such Parish, to alter the Number of the Members of the Board of Works for such District to be elected for all or any of the Parishes therein; but so that the Number of Members to be elected for any such Parish, if exceeding Three, shall be a Number divisible by Three.

As to the Term of Office of Members of District Boards elected at First Election, and as to future Elections.

XXXIV. One Third of the Members of any such Board first elected for any Parish for which Three or more such Members are by this Act appointed to be elected shall go out of Office at the Time herein-after appointed for the Election of Members of such Board in the Year One thousand eight hundred and fifty-seven, One other Third of them at the Time appointed for such Election in One thousand eight hundred and fifty-eight, and the remaining Third at the Time appointed for such Election in the Year One thousand eight hundred and fifty-nine; and the Vestry shall at the Time of the First Election under this Act of such Members determine by Lot which of the Members first elected shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members elected to supply Vacancies occasioned by Members going out of Office at the Expiration of their Term of Office shall go out of Office at the Election of Members of such Board in the Third following Year.

XXXV. The

XXXV. The Vestry of every such Parish shall on the First *Wednesday* in the Month of *June* in the Year One thousand eight hundred and fifty-seven, and in every subsequent Year, elect so many Vestrymen of such Parish to be Members of the Board for the District in which such Parish is comprised as may be necessary for supplying the Vacancies among the Members of such Board elected for such Parish occasioned by Expiration of the Term of Office of the Members going out of Office at the Time of such Election.

Elections to be held annually for supplying Vacancies occasioned by Expiration of Term of Office.

XXXVI. The Members of any such Board first elected for Parishes for which less than Three Members are by this Act appointed to be elected shall go out of Office on the said First *Wednesday* in *June* One thousand eight hundred and fifty-nine, and Members subsequently elected for such Parishes to supply Vacancies occasioned by Members going out of Office at the Expiration of their Term of Office shall go out of Office on the First *Wednesday* in *June* in the Third Year following their Election; and the Vestries of such Parishes shall on the said First *Wednesday* in *June* in the Year One thousand eight hundred and fifty-nine, and in every Third following Year, elect Members in the Place of the Members then going out of Office.

Provision as to Parishes not electing as many as Three Members of a District Board.

XXXVII. When any Member of any District Board dies, resigns, or ceases to be such Member, otherwise than by the Expiration of his Term of Office, the Vestry of the Parish for which he was elected shall with all convenient Speed elect a Person to be a Member of such Board in his Place; and every Member of any such Board elected to supply any such Vacancy shall go out of Office when the Term of Office of the Member in whose Place he is elected would have expired by Effluxion of Time.

Provision as to casual Vacancies.

XXXVIII. All Powers and Duties vested in the Board of Works for any District may be exercised or performed at any Meeting of such Board holden under this Act, there being not less than Seven Members of the Board present; and at every such Meeting all Questions shall be decided by the Votes of the Majority of the Members present; and the Board may act notwithstanding any Vacancies therein, and notwithstanding any Omission to elect any Member or Members of such Board, in pursuance of this Act.

Powers of District Boards to be exercised at Meetings, not less than Seven Members being present.

XXXIX. The First Meeting of the Board of Works for any District shall be holden on the *Wednesday* in the Week next following the Election of such Board, at Ten o'Clock in the Forenoon, at the Place at which the Vestry of the Parish in such District first named in Schedule

Ordinary Meetings of District Boards.

dule (B.) to this Act usually meet; and every subsequent Ordinary Meeting shall be holden on and at such Day, Time, and Place as the Board may from Time to Time appoint in this Behalf, subject, nevertheless, to the Provision herein-after contained, appointing the Day on which Meetings shall be holden for the First Election of the Metropolitan Board of Works.

Special Meetings of District Boards.

XL. A Special Meeting of any such Board may be convened by any Five Members of the Board, or by the Clerk of the Board, upon the Requisition in Writing of Five Members of the Board, by a Notice to the several Members thereof Forty-eight Hours at least before the Time of meeting, such Notice to be signed by the Members or Clerk convening the Meeting, and to specify the Object thereof.

Chairman to be elected at Meeting of Board.

XLI. Every such Board shall at every Meeting of such Board, before proceeding to Business, elect a Chairman of such Meeting, and such Chairman, in case of an Equality of Votes on any Question, shall have a Second or Casting Vote.

Incorporation of Vestries and District Boards.

District Boards and Vestries of Parishes in Schedule (A.) incorporated.

XLII. The Board to be constituted as aforesaid for every such District shall be a Body Corporate by the Name of "The Board of Works for the District," and the Vestry of every Parish mentioned in Schedule (A.) to this Act shall be a Body Corporate by the Name of "The Vestry of the Parish of in the County of ," and every such Board and Vestry shall by such Name respectively have perpetual Succession and a Common Seal, and shall sue and be sued, and have Power and Authority (without any Licence in Mortmain) to take, purchase, and hold Land for the Purposes of this Act.

Constitution and Incorporation of Metropolitan Board of Works.

Metropolitan Board of Works constituted and incorporated.

XLIII. A Board, to be called "The Metropolitan Board of Works," shall be constituted as herein-after mentioned, and such Board shall by such Name be a Body Corporate, and have perpetual Succession and a Common Seal, and sue and be sued, and have Power and Authority (without any Licence in Mortmain) to take, purchase, and hold Land for the Purposes of this Act.

Three Members of Metropolitan Board to be elected for the City.

XLIV. The Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, shall on the Twelfth Day of *December* One thousand eight hundred and fifty-five elect Three Persons to be

be Members of the said Metropolitan Board, and shall, when any Member of such Board elected by the said Mayor, Aldermen, and Commons dies, resigns, or otherwise ceases to be such Member, elect some Person in his Place.

Vestries of single Parishes and District Boards to elect Members of the Metropolitan Board.

XLV. The Vestry of each of the Parishes mentioned in the First Part of the said Schedule (A.) shall, at a Meeting of such Vestry to be holden on the Twelfth Day of *December* One thousand eight hundred and fifty-five, elect Two Persons to be Members of the said Metropolitan Board of Works; and the Vestry of each of the Parishes mentioned in the Second Part of the said Schedule (A.), except the Parish of *Rotherhithe*, and the Board of Works for each of the Districts mentioned in the First Part of the said Schedule (B.), shall, at a Meeting of such Vestry and Board respectively to be holden on the last-mentioned Day, elect One Person to be a Member of the said Metropolitan Board; and every such Vestry and Board shall, when any Member of such Metropolitan Board, elected by such Vestry or Board, dies, resigns, or otherwise ceases to be such Member, elect a Person to be a Member of the said Metropolitan Board in the Place of the Member so dying, resigning, or otherwise ceasing to be such Member.

Boards for Districts of Plumstead and Lewisham united for electing a Member of Metropolitan Board.

XLVI. The Districts of *Plumstead* and *Lewisham*, mentioned in the Second Part of the said Schedule (B.), shall be united for the Purpose of electing from Time to Time a Member of the Metropolitan Board of Works; and the Boards of Works for such Districts shall, at a joint Meeting of such Boards, to be holden on the said Twelfth Day of *December* One thousand eight hundred and fifty-five, at the Place of Meeting of the Board of Works for the District of *Plumstead*, elect a Person to be a Member of the said Metropolitan Board; and when any Member of such Board elected by the Boards of Works for the said united Districts dies, resigns, or otherwise ceases to be such Member, such Boards of Works shall, at a joint Meeting of such Boards to be holden at the Place aforesaid, elect some Person in his Stead; and such Meeting shall be convened as follows; that is to say, the Clerk of the Board of Works for the District of *Plumstead* shall communicate with the Clerk of the Board of Works for the District of *Lewisham*, and arrange with him the Time of such Meeting of the Boards of Works for such Districts; and when such Arrangement has been made, Notice of the Time, Place, and Object of such Meeting shall be given by such Clerks respectively in manner required for Notices of Special Meetings of the Boards for such Districts; and every Election to be made as aforesaid by the said Boards shall be determined by the Votes of the Majority of

of the Members thereof present at the Meeting; and every such Meeting shall, before proceeding to the Election, choose a Chairman, who shall preside thereat, and shall, in case of an Equality of Votes for Two or more Persons, have a Second or Casting Vote.

The Parish of Rotherhithe and District of St. Olave united for electing a Member of the Metropolitan Board of Works.

XLVII. The Parishes of *Rotherhithe*, *Saint John Horsleydown*, *Saint Olave*, and *Saint Thomas Southwark* shall be united for the Purpose of electing from Time to Time a Member of the Metropolitan Board of Works; and the Vestries of such several Parishes shall, at a joint Meeting of such Vestries to be holden on the said Twelfth Day of *December* One thousand eight hundred and fifty-five, at the Place of Meeting of the Vestry of the Parish of *Saint Olave*, elect a Person to be a Member of the said Metropolitan Board; and when any Member of the said Board elected by such Vestries dies, resigns, or otherwise ceases to be such Member, such Vestries shall, at a joint Meeting of such Vestries to be holden at the Place aforesaid, elect some Person in his Stead; and such Meeting shall be convened as follows; that is to say, the Vestry Clerk of the Parish of *Saint Olave* shall communicate with the Vestry Clerks of the said other Parishes, and arrange with them the Time of such Meeting; and when such Arrangement has been made, Notice of the Time, Place, and Object of such Meeting shall be given by the respective Vestry Clerks of all the said Parishes in manner required for Notices of Vestry Meetings; and every Election to be made as aforesaid by the said Vestries jointly shall be determined by the Votes of the Majority of the Members thereof present at the Meeting; and every such Meeting shall, before proceeding to the Election, choose a Chairman, who shall preside thereat, and shall, in case of an Equality of Votes for Two or more Persons, have a Second or Casting Vote.

As to the Term of Office of Members of Metropolitan Board elected at First Election, and as to future Elections.

XLVIII. One Third of the Members first elected as aforesaid of the Metropolitan Board of Works shall go out of Office on the Second *Wednesday* in *June* One thousand eight hundred and fifty-seven, One other Third of them on the Second *Wednesday* in *June* One thousand eight hundred and fifty-eight, and the remaining Third on the Second *Wednesday* in *June* One thousand eight hundred and fifty-nine; and such first elected Members shall determine by Lot among themselves which of them shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members of the said Board elected to supply any Vacancy occasioned by any Member's going out of Office by the Expiration of his Term of Office shall go out of Office on the Second *Wednesday* in

in *June* in the Third Year next following the Year of his Election; and every Member of the said Board elected to supply any other Vacancy shall go out of Office when the Term of Office of the Member in whose Place he is elected would have expired by Effluxion of Time.

Elected Members of Metropolitan Board to elect a Chairman.

XLIX. The Members first elected of the Metropolitan Board of Works shall meet at such Time and Place as One of Her Majesty's Principal Secretaries of State shall by Notice in the *London Gazette* appoint in this Behalf, and shall at such Meeting, or some Meeting to be holden by Adjournment thereof (which it shall be competent for the Members present to appoint), elect a Chairman of the said Board, and shall also decide upon the Amount of Salary to be paid to such Chairman, such Salary not to be less than One thousand five hundred Pounds and not to exceed Two thousand Pounds *per Annum*; and such Members, before proceeding at any such Meeting to such Election, or to determine the Amount of such Salary, shall choose from among the Members present a Chairman of such Meeting, and such Election of the future Chairman of the Board shall be determined by the Votes of the Majority of the Members present, and in case of an Equality of Votes the Chairman of the Meeting shall have a Second or Casting Vote; and any Person may be elected as aforesaid, whether he be or be not a Member of the said Board; and such Chairman shall be subject to be removed by a Resolution agreed to by Two Thirds of the Members present at any Meeting specially convened for considering the Question of such Removal; and in case any elected Member of the said Metropolitan Board be appointed Chairman thereof, he shall thenceforth be a Member thereof by virtue only of his Office of Chairman, and his Place as an elected Member shall become vacant, and another shall be elected in his Stead.

As to Appointment of Chairman on any Vacancy.

L. Upon every Vacancy in the Office of Chairman of the said Metropolitan Board a new Chairman shall be appointed, and his Salary fixed, in manner herein-before mentioned, save that the Appointment of such Chairman may be made at any such Meeting as may be provided in this Behalf by the Regulations for the Time being of the said Metropolitan Board.

Powers of Metropolitan Board to be exercised at Meetings, not less than Nine Members being present.

LI. All Powers and Duties vested in the Metropolitan Board of Works may be exercised and performed at any Meeting of such Board at which not less than Nine Members of the Board are present; and at every such Meeting all Questions shall be determined by the Votes of the Majority of the Members present; and such Board may act notwithstanding any Vacancies therein, and notwithstanding any

Omission to elect any Member or Members of such Board in pursuance of this Act, but such Board shall not be deemed to be constituted until the First Election of a Chairman of such Board under this Act.

Meetings of the Metropolitan Board.

LII. The First Meeting of the said Metropolitan Board shall be holden at such Time and Place as the Chairman may appoint, of which Notice in Writing, signed by such Chairman, shall be given to each elected Member of the said Board Two clear Days at the least before the Time of such Meeting; and the said Board may meet at such Times and Places as they may from Time to Time appoint; and a Special Meeting of the said Board may be convened by the Chairman of the said Board, or by the Clerk thereof, upon the Requisition in Writing of the Chairman or any Five Members of the Board, by a Notice to the several Members thereof Two clear Days at the least before the Time of meeting, such Notice to be signed by the Chairman or Clerk convening the Meeting, and to specify the Object thereof.

Chairman to preside at Meetings. In case of Vacancy, &c., a temporary Chairman to be chosen.

LIII. The Chairman of the Metropolitan Board of Works for the Time being elected under this Act shall preside at every Meeting of such Board at which he is present; and in case of a Vacancy in the Office of such Chairman, or in his Absence, some other Member of such Board shall be chosen to preside thereat; and in case there be an equal Number of Votes upon any Question, the Chairman presiding at the Meeting shall have a Second or Casting Vote.

Provisions concerning Constitution, Procedure, and Officers of Metropolitan and District Boards and Vestries.

Disqualifications of Members of Metropolitan Board, of District Boards, of Vestries of Parishes in Schedule (A.) and (B.), and of Auditors.

LIV. In case any Member of the Metropolitan Board of Works, or of any District Board of Works, or of any Vestry for any Parish mentioned in Schedule (A.) or (B.) to this Act, or any Auditor of the Accounts of any such Board or Vestry, be declared bankrupt, or apply to take the Benefit of or become subject to any Act for the Relief of Insolvent Debtors, or compound with his Creditors, or accept or hold any Office under the Board or Vestry of which he is a Member, or of whose Accounts he is Auditor, other than, in the Case of any such Auditor, his Office of Auditor, or in any Manner be concerned or interested in any Contract or Work made with or executed for such Board or Vestry, in every such Case such Person shall cease to be such Member or Auditor as aforesaid: Provided always, that no Person being a Shareholder of any Joint Stock Company shall be disabled from continuing or acting as a Member of any such

such Board or Vestry by reason of any Contract between such Company and such Board or Vestry, or of any Work executed by such Company; but no such Member shall vote upon any Question in which such Company is interested; and any Person who acts as a Member of any such Board or Vestry, or as Auditor of the Accounts thereof, after ceasing to be such Member or Auditor as aforesaid, or who, being a Shareholder in any Joint Stock Company, votes upon any Question in which such Company is interested, and any Person who acts as a Member of any such Vestry as aforesaid without being qualified by Rating and Occupation as required by this Act, shall for every such Offence be liable to a Penalty of Fifty Pounds, which may be recovered by any Person who may sue for the same in any of the Superior Courts of Law, with full Costs of Suit: Provided also, that all Acts and Proceedings of any Person ceasing to be such Member or Auditor, or disabled from acting as aforesaid, shall, if done previously to the Recovery of such Penalty, be valid and effectual to all Intents and Purposes whatsoever.

Members of Metropolitan and District Boards, and of Vestries of Parishes in Schedule (A.) or (B.), may resign.

LV. Any Member of the Metropolitan Board of Works, or of any Vestry elected for any Parish mentioned in Schedule (A.) or (B.) to this Act, or of the Board of Works for any District, may at any Time resign his Office, such Resignation of any Member of the Metropolitan Board of Works to be notified in Writing signed by such Member to the Chairman of such Board, and such Resignation of any Vestryman or Member of any such District Board to be notified in Writing signed by such Vestryman or Member to the Churchwardens of the Parish for which he was elected.

Retiring Members of Boards and Vestries may be re-elected.

LVI. Any Member of the Metropolitan Board of Works, or of any District Board of Works, or of any such Vestry, going out of Office, shall, if qualified, be capable of immediate Re-election.

No Resolution of Metropolitan or any District Board, or of any Vestry, to be revoked at a subsequent Meeting, unless under certain Circumstances.

LVII. No Resolution or other Act of the Metropolitan Board of Works, or of the Board of Works for any District, or of any such Vestry, shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be specially convened for the Purpose, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Members of the Board, or of the Vestrymen present at such subsequent Meeting, if the Number of Members or Vestrymen present at such subsequent Meeting be not greater by One Fifth than the Number present when such Resolution was made or such Act was done, but if the Number of Members or Vestrymen present at such subsequent Meeting be greater by One Fifth than the Number present at such former Meeting, then such Revocation

Revocation or Alteration may be determined upon by a mere Majority.

Committees may be appointed.

LVIII. It shall be lawful for the Metropolitan Board of Works, and the Board of Works for any District, and any such Vestry respectively, to appoint a Committee or Committees for any Purposes which, in the Discretion of the Board or Vestry, would be better regulated and managed by means of such Committee, and at any Meeting to continue, alter, or discontinue such Committee: Provided always, that the Acts of every such Committee shall be submitted to the general Body of the Board or Vestry appointing such Committee for their Approval.

Powers of Committees.

LIX. Every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee are present.

Minutes of Proceedings of Metropolitan and District Boards and of Vestries to be entered.

LX. Entries of all Proceedings of the Metropolitan Board of Works and every such District Board, and of any such Vestry, with the Names of the Members who attend each Meeting, shall be made in Books to be provided and kept for that Purpose, under the Direction of the Board or Vestry, and shall be signed by the Members present, or any Two of them; and all Entries purporting to be so signed shall be received as Evidence, without Proof of any Meeting of the Board or Vestry having been duly convened or held, or of the Presence at any such Meeting of the Persons named in any such Entry as being present thereat, or of such Persons being Members of the Board or Vestry, or of the Signature of any Person by whom any such Entry purports to be signed, all which Matters shall be presumed until the contrary be proved; and every such Board and Vestry shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid by them or under their Authority, and of all Liabilities incurred by them, and of the several Purposes for which such Sums of Money are received and paid and such Liabilities incurred, and Copies of all Contracts entered into by any such Board or Vestry.

All Books to be open to Inspection.

LXI. All such Books shall at all reasonable Times be open to the Examination of every Member of the Board and Vestry respectively to which such Books belong, and of every Owner of Property, Churchwarden, Overseer, and Ratepayer within the Metropolis, as regards Books of the said Metropolitan Board, and of every Owner of Property,

Property, Churchwarden, Overseer, and Ratepayer within any District or Parish, as regards Books belonging to the District Board or Vestry thereof (as the Case may be), and of every Creditor on the Rates raised under this Act by any such Board or Vestry respectively, without Fee or Reward, and they respectively may take Copies of or Extracts from such Books or any Part thereof, without paying for the same; and in case the Members of the Board or Vestry, or any of them, or any of the Officers or Servants of the Board or Vestry having the Custody of the said Books, being thereunto reasonably requested, refuse to permit or do not permit any such Owner of Property, Churchwarden, Overseer, Ratepayer, or Creditor to examine the same, or take any Copies or Extracts, every such Member, Officer, or Servant so offending shall for every such Offence, upon a summary Conviction thereof before Two Justices, forfeit any Sum not exceeding Ten Pounds.

Power to Metropolitan Board, District Boards, and Vestries to appoint Officers.

LXII. The Metropolitan Board of Works, and (subject to the Provisions herein contained) the Board of Works for every District under this Act, and the Vestry of every Parish mentioned in Schedule (A.) to this Act, shall respectively appoint or employ, or continue for the Purposes of this Act, and may remove at pleasure, such Clerks, Treasurers, and Surveyors, and such other Officers and Servants as may be necessary, and may allow to such Clerks, Treasurers, Surveyors, Officers, and Servants respectively such Salaries and Wages as the Board or Vestry may think fit.

Clerk and Treasurer not to be the same Person.

LXIII. No Person holding the Office of Treasurer under the Metropolitan Board, or any District Board or any such Vestry, nor his Partner, nor any Person in the Service or Employ of them or either of them, shall hold, be eligible to, or in any Manner assist or officiate in the Office of Clerk; and neither the Person holding the Office of Clerk, nor his Partner, nor any Person in the Service or Employ of them or either of them, shall hold, be eligible to, or in any Manner assist or officiate in the Office of Treasurer; and every Person offending in any of the Cases specified in this Provision shall forfeit and pay the Sum of One hundred Pounds, which may be recovered by any Person, with full Costs of Suit, by Action in any of the Superior Courts of Law.

Penalty on Officers, &c. being interested in Contracts, or exacting Fees.

LXIV. No Officer or Servant of the Metropolitan Board, or of any District Board or any such Vestry, shall be in anywise concerned or interested in any Contract or Work made with or executed for such Board or Vestry; and if any such Officer or Servant be so concerned or interested, or, under colour of his Office or Employment, exact, take,

 or

or accept any Fee or Reward whatsoever, other than his proper Salary, Wages, and Allowances, he shall be incapable of afterwards holding or continuing in any Office or Employment under such Board or Vestry, and shall forfeit and pay the Sum of Fifty Pounds, which may be recovered by any Person, with full Costs of Suit, by Action in any of the Superior Courts of Law; provided that no Person, being a Shareholder of any Joint Stock Company, shall be prevented from being employed as an Officer or Servant by reason of any Contract between such Company and such Board or Vestry, or of any Work executed by such Company.

Officers, &c. intrusted with Money to give Security for duly accounting for the same.

LXV. Before any Officer or Servant as aforesaid enters upon any Office or Employment under this Act, by reason whereof he will or may be intrusted with the Custody or Control of Money, the Board or Vestry shall require and take from him such Security for the faithful Execution of such Office or Employment, and for duly accounting for all Monies which may be intrusted to him by reason thereof, as they may think sufficient; and every such Officer and Servant, as well during his Continuance in Office or Employment as upon his Resignation, Dismissal, or ceasing to hold his Office or Employment, shall respectively, when and in such Manner as shall be required by the Board or Vestry, make out and deliver a true and perfect Account, in Writing signed by him, of all Monies received by him for the Purposes of this Act, and stating how, and to whom, and for what Purpose such Monies have been disposed of, and shall together with such Account deliver the Vouchers or Receipts for all Payments made by him, and pay over to the Treasurer or such Person as the Board or Vestry may appoint all Monies owing by him; and if any such Officer or Servant fail to render such Account, or to produce and deliver up such of the said Vouchers and Receipts as may be in his Possession or Power, or to pay over any such Monies as aforesaid, or if, for the Space of Five Days after being thereunto required, he fail to deliver up to the Board or Vestry, or to such Person as they may appoint, all Books, Papers, Writings, Property, Effects, Matters, and Things in his Possession or Power belonging to the Board or Vestry, then and in every such Case a Justice shall, on Complaint being made to him in that Behalf, summon the Party charged to appear and answer the Complaint before Two Justices, at a Time and Place to be specified in the Summons; and upon the Appearance of the Party charged, or upon Proof that the Summons was personally served upon him or left at his last known Place of Abode in *England*, and if it appear to the last-mentioned Justices that he has failed to render any such Account, or to produce and deliver up any such Vouchers or Receipts, or any such Books, Papers, Writings, Property, Effects, Matters, or Things as aforesaid, and that he still fails or refuses so to do,

If Officer fail to render Account, &c. Justices may commit Offender to Prison.

do, it shall be lawful for them, by Warrant under their Hands and Seals, to commit the Offender to Gaol, there to remain, without Bail, until he shall have rendered such Account, and produced and delivered up all such Vouchers, Receipts, Books, Papers, Writings, Property, Effects, Matters, and Things in respect of which the Charge was made; and if it appears that the Party charged has failed to pay over any such Monies as aforesaid, and that he still fails or refuses so to do, it shall be lawful for the last-mentioned Justices, by a like Warrant, to cause the same to be levied by Distress and Sale of his Goods and Chattels, and in default of any sufficient Distress to commit him to Gaol, there to remain, without Bail, for a Period not exceeding Three Months, unless such Monies be sooner paid: Provided always, that if the Complainant, by Deposition on Oath, show to the Satisfaction of any Justice that there is probable Cause for believing that the Party charged intends to abscond, it shall be lawful for such Justice, without previous Summons, by Warrant under his Hand and Seal to cause him to be forthwith apprehended; and in such Case the said Party shall, within Twenty-four Hours after Apprehension, be brought before the same or some other Justice, who may order that he be discharged from Custody, if such Justice think that there is no sufficient Ground for Detention, or that he be further detained until he be brought before Two Justices at a Time and Place to be named in the Order, unless Bail to the Satisfaction of the Justice be given for the Appearance of the Party before such Two Justices: Provided also, that no such Proceeding shall be construed to relieve or discharge any Surety of the Offender from any Liability whatsoever.

Power to levy by Distress.

LXVI. The Metropolitan Board of Works and every such District Board and Vestry respectively shall provide and maintain such Offices within their respective District or Parish as may be necessary for the Purposes of this Act, and shall take care that their Clerk, or some Person duly authorized by them in that Behalf, attends at their Office daily (*Sundays*, *Christmas Day*, and *Good Friday*, and Days appointed for any General Fast or Thanksgiving, alone excepted), for the Purpose of receiving Notices and transacting the ordinary Business of the Board or Vestry under this Act.

Metropolitan and District Boards and Vestries to provide proper Offices, and to cause daily Attendance to be given.

Duties and Powers of Vestries and District Boards.

LXVII. Where in the Provisions herein-after contained any Expression is used referring to the Vestry of a Parish, such Expression shall be construed as referring only to the Vestry of a Parish mentioned in Schedule (A.) to this Act, unless such Construction be repugnant to the Context.

"Vestry" in following Provisions to mean Vestry of a Parish in Schedule (A.)

LXVIII. Upon

Sewers (except Main Sewers) vested in Vestries and District Boards.

LXVIII. Upon the Commencement of this Act all Sewers vested in the Metropolitan Commissioners of Sewers which are situate in any Parish mentioned in Schedule (A.) to this Act (except such Sewers as are mentioned in Schedule (D.) to this Act), with the Walls, Defences, Banks, Outlets, Sluices, Flaps, Penstocks, Gullies, Grates, Works, and Things thereunto appertaining, and the Materials thereof, with all Rights of Way and Passage used and enjoyed by such Commissioners over or to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall become vested in the Vestry of such Parish; and all Sewers vested in the said Metropolitan Commissioners which are situate within any District mentioned in Schedule (B.) to this Act, except as before excepted, with all such Works and Things as aforesaid appertaining thereto, and all Rights of Way and Passage used and enjoyed by such Commissioners over or to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall become vested in the Board of Works for such District; and all Sewers made and to be made within any such Parish or District, except Sewers and Works vested or to be vested in the Metropolitan Board of Works, as herein-after mentioned, shall be vested in such Vestry and Board respectively.

Vestries and District Boards to repair, &c. all Sewers vested in them, and from Time to Time to construct new ones, &c.

LXIX. The Vestry of every Parish mentioned in Schedule (A.) to this Act, and the Board of Works for every District mentioned in Schedule (B.) to this Act, shall (subject to the Powers by this Act vested in the Metropolitan Board of Works) from Time to Time repair and maintain the Sewers under this Act vested in them, or such of them as shall not be discontinued, closed up, or destroyed under the Powers herein contained, and shall cause to be made, repaired, and maintained such Sewers and Works, or such Diversions or Alterations of Sewers and Works, as may be necessary for effectually draining their Parish or District, and shall cause all Banks, Wharves, Docks, or Defences abutting on or adjoining any River, Stream, Canal, Pond, or Watercourse in such Parish or District to be raised, strengthened, or altered or repaired, where it may be necessary so to do, for effectually draining, or protecting from Floods or Inundation such Parish or District; and it shall be lawful for any such Vestry or District Board to carry any such Sewers or Works through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, or through or under any Cellar or Vault which may be under the Pavement or Carriageway of any Street, and into, through, or under any Lands whatsoever, making Compensation for any Damage done thereby as herein-after provided; and it shall be lawful for any such Vestry or District Board from Time to Time to enlarge,

enlarge, contract, raise, lower, arch over, or otherwise improve or alter all or any of the Sewers, Watercourses, and Works which shall be from Time to Time vested in them or subject to their Order and Control, and to discontinue, close up, or destroy such of them as they may deem to have become unnecessary: Provided always, that no new Sewer shall be made without the previous Approval of the Metropolitan Board of Works: Provided also, that the Discontinuance, Closing up, Destruction, or Alteration of any Sewer as aforesaid shall be so done as not to create a Nuisance; and if by reason thereof any Person shall be deprived of the lawful Use of any covered Sewer, it shall be the Duty of the Vestry or District Board to provide some other Sewer or a Drain as effectual for his Use as the Sewer of which he is so deprived: Provided also, that where the Vestry or District Board alter any Sewer, or provide a new Sewer in substitution for a Sewer discontinued, closed up, or destroyed, they may contract or otherwise alter the private Drains communicating with the Sewer so altered, or with the Sewer so discontinued, closed up, or destroyed, or may close up or destroy such private Drains, and provide new Drains in lieu thereof, as the Circumstances of the Sewerage may appear to them to require, but so that in every Case the altered or substituted Drain shall be as effectual for the Use of the Person entitled thereto as the Drain previously used.

Power to Vestries and District Boards to do Works of Improvement in Sewers, &c., the Expense of which to be divided between the Party liable and the Parish or District.

LXX. Wherever any Party is, by Prescription, by reason of Tenure, or otherwise, liable by Law to maintain or do any Repairs to Sewers, Banks, Watercourses, or Works in any such Parish or District which the Vestry or District Board judge it necessary to alter or improve, it shall be lawful for them to make such Alterations or Improvements therein as they think proper, and to divide the Expense of such Alterations or Improvements between the Party liable to such Maintenance or Repairs and the Parish, District, or Persons who would have been wholly liable to the Expense of such Alterations or Improvements if no Party had been liable as aforesaid, so as to throw on the Party liable to such Maintenance or Repairs such Part of the Expense of Alterations or Improvements as may be equal to what would be incurred for such Maintenance or Repairs, and to throw on the Parish, District, or Persons aforesaid the Residue of such Expense, and to settle and adjust such Proportions either by some general Regulation or by Order in each particular Case, as they may think proper: Provided always, that nothing in this Act contained shall exempt from Liability to do any Works, or to pay the whole Cost thereof, any Person who, by Prescription, by reason of Tenure, or otherwise by Law, is so liable.

Gullyholes, &c. to be trapped.

LXXI. Every District Board and Vestry shall, by providing proper Traps or other Coverings, or by Ventilation, or by such other Ways and Means as shall be practicable for that Purpose, prevent the Effluvia of Sewers from exhaling through Gullyholes, Gratings, or other Openings of Sewers in any of the Streets or other Places within their District or Parish.

Vestries and District Boards to cause Sewers to be cleansed, &c.

LXXII. Every Vestry and District Board shall cause the Sewers vested in them to be constructed, covered, and kept so as not to be a Nuisance or injurious to Health, and to be properly cleared, cleansed, and emptied, and for the Purpose of clearing, cleansing, and emptying the same they may construct and place, either above or under Ground, such Reservoirs, Sluices, Engines, and other Works as may be necessary.

Vestry or District Board in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer.

LXXIII. If any House or Building, whether built before or after the Commencement of this Act, situate within any such Parish or District, be found not to be drained by a sufficient Drain communicating with some Sewer, and emptying itself into the same, to the Satisfaction of the Vestry or Board of such Parish or District, and if a Sewer of sufficient Size be within One hundred Feet of any Part of such House or Building, on a lower Level than such House or Building, it shall be lawful for the Vestry or Board, at their Discretion, by Notice in Writing, to require the Owner of such House or Building forthwith, or within such reasonable Time as may be appointed by the Vestry or Board, to construct and make from such House or Building into any such Sewer a covered Drain, and such Branches thereto, of such Materials, of such Size, at such Level, and with such Fall as shall be adequate for the Drainage of such House or Building, and its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices, (if any,) and for conveying the Soil, Drainage, and Wash therefrom into the said Sewer, and to provide fit and proper paved or impermeable sloped Surfaces for conveying Surface Water thereto, and fit and proper Sinks, and fit and proper syphoned or otherwise trapped Inlets and Outlets for hindering Stench therefrom, and fit and proper Water Supply and Water supplying Pipes, Cisterns, and Apparatus for scouring the same, and for causing the same to convey away the Soil, and fit and proper Sand Traps, expanding Inlets, and other Apparatus for hindering the Entry of improper Substances therein, and all other such fit and proper Works and Arrangements as may appear to the Vestry or Board, or to their Officers, requisite to secure the safe and proper working of the said Drain, and to prevent the same from obstructing or otherwise injuring or impeding the Action of the Sewer to which it leads; and it shall be lawful for the said Vestry or Board

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to cause the said Works to be inspected while in progress, and from Time to Time during their Execution to order such reasonable Alterations therein, Additions thereto, and Abandonment of Part or Parts thereof, as may to the Vestry or Board or their Officers appear, on the fuller Knowledge afforded by the opening of the Ground, requisite to secure the complete and perfect working of such Works; and if the Owner of such House or Building neglect or refuse, during Twenty-eight Days after the said Notice has been delivered to such Owner, or left at such House or Building, to begin to construct such Drain and other Works aforesaid, or any of them, or thereafter fail to carry them on and complete them with all reasonable Despatch, it shall be lawful for the Vestry or Board to cause the same to be constructed and made, and to recover the Expenses to be incurred thereby from such Owner in the Manner herein-after provided.

Penalty on Owner, &c. for Neglect.

LXXIV. If it appear to the Vestry or Board of any Parish or District that a Group or Block of contiguous Houses, or of adjacent detached or semi-detached Houses, may be drained and improved more economically or advantageously in combination than separately, and a Sewer of sufficient Size already exist or be about to be constructed within One hundred Feet of any Part of such Group or Block of Houses, whether contiguous, detached, or semi-detached, it shall be lawful for such Board or Vestry to order that such Group or Block of Houses be drained and improved, as herein-before provided, by a combined Operation.

Provision for combined Drainage of Blocks of Houses.

LXXV. It shall not be lawful to erect any House or other Building in any Parish mentioned in Schedule (A.) to this Act, or in any District mentioned in Schedule (B.) to this Act, or to rebuild any House or Building within any such Parish or District which has been pulled down to or below the Floor commonly called the Ground Floor, or to occupy any House or Building so newly built or rebuilt, unless a Drain and such Branches thereto and other connected Works and Apparatus and Water Supply as herein-before mentioned be constructed and provided to the Satisfaction of the Surveyor of the Vestry of such Parish or Board of Works for such District, of such Materials, of such Size, at such Level, and with such Fall as they may direct, so that the same shall be available for the Drainage of the lowest Floor of such House or Building, and of its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices (if any), which Drain shall lead from such House or Building, or the intended Site of such House or Building, to such Sewer, already made or intended to be constructed near thereto, as the Vestry or Board shall direct and appoint, or if there be no such Sewer existing or intended to be constructed within

No House to be built without Drains constructed to the Satisfaction of the Vestry or District Board.

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One hundred Feet of any Part of the intended Site of such House or Building, then to such covered Cesspool or other Place, not being under any Dwelling House, as the Vestry or Board shall direct; and whenever any House or Building is rebuilt as aforesaid, the Level of the lowest Floor of such House or Building shall be raised sufficiently to allow of the Construction of such a Drain and such Branches thereto and other Works and Apparatus as are herein-before required, and for that Purpose the Levels shall be taken and determined under the Direction of the Vestry or District Board.

Notice of Buildings to be given to the Vestry or District Board before commencing the same.

LXXVI. Before beginning to lay or dig out the Foundation of any new House or Building within any such Parish or District, or to rebuild any House or Building therein, and also before making any Drain for the Purpose of draining directly or indirectly into any Sewer under the Jurisdiction of the Vestry or Board of or for any such Parish or District, Seven Days Notice in Writing shall be given to the Vestry or Board by the Person intending to build or rebuild such House or Building or to make such Drain; and every such Foundation shall be laid at such Level as will permit the Drainage of such House or Building in compliance with this Act, and as the Vestry or Board shall order, and every such Drain shall be made in such Direction, Manner, and Form, and of such Materials and Workmanship, and with such Branches thereto and other connected Works and Apparatus and Water Supply as herein-before mentioned, and as the Vestry or Board shall order, and the making of every such Drain shall be under the Survey and Control of the Vestry or Board; and the Vestry or District Board shall make their Order in relation to the Matters aforesaid, and cause the same to be notified to the Person from whom such Notice was received within Seven Days after the Receipt of such Notice, and in default of such Notice, or if such House, Building, or Drain, or Branches thereto or other connected Works and Apparatus and Water Supply, be begun, erected, made, or provided in any respect contrary to any Order of the Vestry or Board made and notified as aforesaid, or the Provisions of this Act, it shall be lawful for the Vestry or Board to cause such House or Building to be demolished or altered, and to cause such Drain or Branches thereto and other connected Works and Apparatus and Water Supply to be relaid, amended, or re-made, or, in the event of Omission, added, as the Case may require, and to recover the Expenses thereof from the Owner thereof in the Manner herein-after provided.

Power to branch Drains into Sewers

LXXVII. It shall be lawful for any Person, at his own Expense, to make or branch any Drain into any of the Sewers vested in the Metropolitan

Metropolitan Board of Works or any Vestry or District Board under this Act, or authorized to be made by them under this Act, such Drain being of such a Size, and of such Conditions, and branched to such Sewer, in such a Manner and Form of Communication in all respects as the Vestry or Board shall direct or appoint; and in case any Person make or branch any Drain into any of the said Sewers so vested in the Vestry or Board, or authorized to be made by them under this Act, of a larger Size, or of different Conditions, or in a different Manner and Form of Communication than shall be directed or appointed by the Vestry or Board, every Person so offending shall for every such Offence forfeit a Sum not exceeding Fifty Pounds.

constructed by Metropolitan Board, or any Vestry or District Board under certain Regulations.

Penalty.

LXXVIII. Whenever it is necessary to open any Part of the Pavement or any Street or public Place, for the Purpose of making or branching any private Drain into any of the Sewers or Drains vested in the Metropolitan Board of Works, or any Vestry or District Board under this Act, or authorized to be made by them under this Act, it shall be lawful for the Vestry or Board, in case they think fit so to do, to make so much and such Part of such private Drain, and also to construct so much and such Part of the Work necessary for branching the same into the public Sewers as shall be under or in any Street, and to recover the Expenses incurred thereby from the Owner of the House, Building, or Ground to which such private Drain belongs, in the Manner herein-after provided.

Power to Metropolitan Board or Vestry or District Board to branch private Drains into Sewers, at the Expense of the Party to whom they belong.

LXXIX. It shall be lawful for any such Vestry or Board to contract and agree with the Owners or Occupiers of any Houses, Buildings, or Ground that any Drains required to be made, altered, or enlarged by such Owners shall be constructed, made, altered, and enlarged by the Vestry or Board; and the Cost Price of making, altering, or enlarging such Drains, as certified by the Surveyor of the Vestry or Board, shall be repaid by the Owner or Occupier so agreeing to the Vestry or Board, and in default of Payment the same may be recovered in the Manner herein-after provided.

Vestry or District Board may agree to make House Drains at the Expense of Owners or Occupiers.

LXXX. Where any Sewer in any of the Parishes mentioned in either of the Schedules (A.) and (B.) to this Act, into which any Drain shall be made or branched, has been built since the Third Day of *September* One thousand eight hundred and thirteen, and before the Commencement of this Act, at the Expense of any Person or Body other than any Commissioners of Sewers, the Vestry or District Board in whom such Sewer is vested may order such Sum as they may deem just to be paid and contributed by the Owner of the House to which such Drain belongs towards the Expense of the Construction

Vestry or District Board may order a Contribution towards Construction of Sewers in certain Cases.

tion of such Sewer, which Sum shall, on the Receipt thereof by such Vestry or Board, be paid over to the Person or Body aforesaid, and such Vestry or Board may, if they see fit, order and accept Payment of such Sum, with Interest after a Rate not exceeding Five Pounds for the Hundred by the Year, by Instalments within any Period not exceeding Twenty Years.

Penalty on erecting or rebuilding Houses without proper Waterclosets, &c.

LXXXI. After the Commencement of this Act it shall not be lawful newly to erect any House, or to rebuild any House pulled down to the Extent aforesaid, within any Parish mentioned in Schedule (A.) to this Act, or any District mentioned in Schedule (B.) to this Act, without a sufficient Watercloset or Privy and Ashpit furnished with proper Doors and Coverings, and also furnished as regards the Watercloset with suitable Water Supply and Water Supply Apparatus, and with suitable trapped Soilpan and other suitable Works and Arrangements, so far as may be necessary to ensure the efficient Operation thereof; and whosoever shall offend against this Enactment shall be liable to a Penalty not exceeding Twenty Pounds; and if at any Time it appear to the Vestry or District Board of such Parish or District that any House in any such Parish or District, whether built before or after the Commencement of this Act, is without a sufficient Watercloset or Privy and Ashpit furnished with proper Doors and Coverings, and with other Apparatus and Works as aforesaid, the Vestry or District Board shall, in case the same can be provided without disturbing any Building, give Notice in Writing to the Owner or Occupier of such House, requiring him forthwith, or within such reasonable Time as shall be specified in such Notice, to provide a sufficient Watercloset or Privy and Ashpit so furnished as aforesaid, or either of them, as the Case may require; and if such Notice be not complied with it shall be lawful for the Vestry or District Board to cause to be constructed a sufficient Watercloset or Privy and Ashpit, or either of them, or do such other Works as the Case may require, and to recover the Expenses incurred by them in so doing from the Owner of such House in manner herein-after provided: Provided always, that where a Watercloset or Privy has been and is used in common by the Inmates of Two or more Houses, or if in the Opinion of the Vestry or District Board a Watercloset or Privy may be so used, they need not require the same to be provided for each House.

Power to Vestry, &c. to require Owners, &c. to provide sufficient Waterclosets, &c.

If Owners fail, Vestry, &c. to cause the Work to be done at their Expense.

Power for Vestries and District Boards to authorize Inspection of Drains, Privies, and Cesspools.

LXXXII. It shall be lawful for any such Vestry or Board, or for their Surveyor or Inspector, or such other Person as they appoint, to inspect any Drain, Watercloset, Privy, Cesspool, or Water Supply Apparatus, or Sinks, Traps, Syphons, Pipes, or other Works or Apparatus connected therewith, within the Parish or District of such

such Vestry or Board, and for that Purpose, at all reasonable Times in the Daytime, after Twenty-four Hours Notice in Writing has been given to the Occupier of the Premises to which such Drain, Watercloset, Privy, Cesspool, or Water Supply Apparatus, or other connected Works or Apparatus as aforesaid, is attached, or left upon the Premises, or in case of Emergency without Notice, to enter, by themselves or their Surveyor or Inspector and Workmen, upon any Premises, and cause the Ground to be opened in any Place they think fit, doing as little Damage as may be.

Penalty on Persons improperly making or altering Drains.

LXXXIII. In case any Drain, Watercloset, Privy, Cesspool, or Water Supply, or Water Supply Apparatus, or other connected Works or Apparatus, herein-before mentioned, be found, on Inspection, not to have been made or provided according to the Directions or Regulations of the Vestry or District Board, or contrary to the Provisions of this Act, or in case any Person, without the Consent of the Vestry or District Board, construct, rebuild, or unstop any Sewer, Drain, Watercloset, Privy, or Cesspool, which may have been ordered by them not to be made, or to be demolished or stopped up, or in case any Person discontinue any Water Supply, or destroy any connected Works or Apparatus as aforesaid, or in case any Person, without the Consent of the Vestry or District Board, break into any Sewer vested in such Vestry or Board, every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds; and in case the Person so making any Sewer, Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid, contrary to the Directions or Regulations of the Vestry or Board, or contrary to the Provisions of this Act, or, without such Consent as aforesaid, constructing, rebuilding, or unstopping any Sewer, Drain, Watercloset, Privy, or Cesspool which may have been ordered to be demolished or stopped up, or discontinuing any Water Supply or destroying any connected Works or Apparatus as aforesaid, or breaking into any such Sewer as aforesaid, do not, within Fourteen Days after Notice in Writing by the Vestry or Board, cause such Sewer, Drain, Watercloset, Privy, or Cesspool to be altered or reinstated in conformity with the Directions of the Vestry or Board, or, as the Case may be, to be demolished or stopped up, or such Water Supply to be renewed, or such connected Works or Apparatus to be restored, then and in every such Case the Vestry or Board may cause the Work to be done, and the Expenses thereof shall be paid by the Person who has so offended.

Where no Default found Expenses to be paid by

LXXXIV. If such Drain, Watercloset, Privy, Cesspool, or Water Supply, or Water Supply Apparatus, or other connected Works and Apparatus, be found on Inspection as aforesaid to be made to the Satisfaction

Vestry or Board.

Satisfaction of the Vestry or Board, and in proper Order and Condition, they shall cause the same to be reinstated and made good as soon as may be, and the Expenses of Examination, reinstating, and making good such Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid, shall be defrayed by the Vestry or Board, and full Compensation shall be made by them for all Damages or Injuries done or occasioned by the Examination of any such Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid.

Vestry or District Board to cause Drains, &c. to be put into proper Condition, &c. where necessary.

LXXXV. If, upon such Inspection as aforesaid, any Drain, Watercloset, Privy, or Cesspool appear to be in bad Order and Condition, or to require cleansing, Alteration, or Amendment, or to be filled up, the Vestry or Board shall cause Notice in Writing to be given to the Owner or Occupier of the Premises upon or in respect of which the Inspection was made, requiring him forthwith, or within such reasonable Time as shall be specified in such Notice, to do the necessary Works; and if such Notice be not complied with by the Person to whom it is given the Vestry or Board may, if they think fit, execute such Works, and the Expenses incurred by them in so doing shall be paid to them by the Owner or Occupier of the Premises.

Vestry and District Board to cause offensive Ditches, Drains, &c. to be cleansed or covered.

LXXXVI. Every Vestry and District Board shall drain, cleanse, cover, or fill up, or cause to be drained, cleansed, covered, or filled up, all Ponds, Pools, open Ditches, Sewers, Drains, and Places containing or used for the Collection of any Drainage, Filth, Water, Matter, or Thing of an offensive Nature, or likely to be prejudicial to Health, which may be situate in their Parish or District; and they shall cause written Notice to be given to the Person causing any such Nuisance, or to the Owner or Occupier of any Premises whereon the same exists, requiring him, within a Time to be specified in such Notice, to drain, cleanse, cover, or fill up such Pond, Pool, Ditch, Sewer, Drain, or Place, or to construct a proper Sewer or Drain for the Discharge of such Filth, Water, Matter, or Thing, or to do such other Works as the Case may require; and if the Person to whom such Notice is given fail to comply therewith, the Vestry or Board shall execute such Works as may be necessary for the Abatement of such Nuisance, and may recover the Expenses thereby incurred from the Owner of the Premises in manner herein-after mentioned: Provided always, that it shall be lawful for such Vestry or Board, where they think it reasonable, to defray all or any Portion of such Expenses, as Expenses of Sewerage are to be defrayed under this Act: Provided also, that where any Work by any Vestry or District Board done or required

Where Works interfere with any

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to be done in pursuance of the Provisions of this Act interferes with or prejudicially affects any ancient Mill, or any Right connected therewith, or other Right to the Use of Water, full Compensation shall be made to all Persons sustaining Damage thereby, in manner herein-after provided, or it shall be lawful for the Vestry or Board, if they think fit, to contract for the Purchase of such Mill, or any such Right connected therewith, or other Right to the Use of Water; and the Provisions of this Act with respect to the Purchases by the Vestry or Board herein-after authorized shall be applicable to every such Purchase as aforesaid.

ancient Mill, &c. Compensation to be made, or Rights therein purchased.

LXXXVII. It shall be lawful for any Vestry or District Board, where they think fit, to cause the Ditches at the Sides of or across public Roads and Byeways and public Footways to be filled up, and to substitute Pipe or other Drains alongside or across such Roads and Ways, with appropriate Shoots and Means of conveying Water from such Roads and Ways thereinto, and from Time to Time to repair and amend the same; and the Surface of Land gained by filling up such Ditches may, if the Vestry or Board so think fit and direct, be thrown into such Roads and Ways, and be repairable as Part thereof, and be under the Control of the Surveyors of the Highways, or other Person in charge of such Roads, Byeways, or Footways.

Power to Vestries and District Boards to fill up Ditches by the Side of Roads, and substitute Pipes.

LXXXVIII. It shall be lawful for every Vestry and District Board to provide and maintain Urinals, Waterclosets, Privies, and like Conveniences, in Situations where they deem such Accommodation to be required, and to supply the same with Water, and to defray the Expense thereof, and any Damage occasioned to any Person by the Erection thereof, and the Expense of keeping the same in good Order, as Expenses of Sewerage are to be defrayed under this Act.

Power to Vestries and District Boards to provide public Conveniences.

LXXXIX. If any Vestry or District Board desire to transfer to the Metropolitan Board of Works the Powers and Duties vested in such Vestry or District Board in relation to Sewerage and Drainage, and a Resolution for so transferring such Powers and Duties be passed by a Majority at a Meeting of such Vestry or District Board, specially convened for the Purpose of considering the Question of such Transfer, of which not less than Fourteen Days Notice shall have been given, and at which there shall be present not less than Two Thirds of the whole Number of such Vestry or Board, then such Powers and Duties, and all Sewers and Property vested in such Vestry or Board under this Act, for the Purposes of or in connexion with such Powers

Vestries and District Boards may transfer their Powers as to Sewerage to the Metropolitan Board of Works.

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and Duties, shall, at the Expiration of One Month after Notice from such Vestry or Board shall have been given under their Seal to the said Metropolitan Board of such Resolution having been passed as aforesaid, become vested in the said Metropolitan Board, and the Provisions of this Act for defraying Expenses incurred by such Board in the Execution of this Act shall extend to Expenses incurred by them in the Execution of the Powers and Duties so transferred to them.

All Powers relating to paving, &c. to be vested in Vestries and in District Boards.

XC. All the Duties, Powers, and Authorities for or in relation to the paving, lighting, watering, cleansing, or improving of any Parish mentioned in Schedule (A.) to this Act, or any Part of such Parish, now vested in any Commissioners, or in any Body other than the Vestry of such Parish, or in any Officer of any Commissioners or other Body, and all other Duties, Powers, and Authorities in anywise relating to the Regulation, Government, or Concerns of any such Parish or Part, or of the Inhabitants thereof, (except such Duties, Powers, and Authorities as relate to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor, so far as such Duties, Powers, and Authorities relate thereto,) now vested under any Local Act of Parliament in any Commissioners, or in any Body other than the Vestry of such Parish, or in any such Officer, shall cease to be so vested, and shall, save as herein otherwise provided, become vested in and be performed and exercised by the Vestry of such Parish under this Act; and all the Duties, Powers, and Authorities for or in relation to the paving, lighting, watering, cleansing, or improving of any Parish included in any District mentioned in Schedule (B.) to this Act, or any Part of such Parish, now vested in any Commissioners, Vestry, or other Body, or in any Officer of any Commissioners or other Body, and all other Duties, Powers, and Authorities in anywise relating to the Regulation, Government, or Concerns of any such Parish, or Part, or of the Inhabitants thereof (except such Duties, Powers, and Authorities as relate to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor, so far as such Duties, Powers, and Authorities relate thereto), now vested under any Local Act of Parliament in any Commissioners, Vestry, or other Body, or in any such Officer, shall cease to be so vested, and shall, save as herein otherwise provided, become vested in and be performed and exercised by the Board of Works for such District; and the Provisions of every such Act of Parliament as aforesaid shall be applicable to the Vestry of every Parish mentioned in the said Schedule (A.) and to every such District Board accordingly, and the Offices of all Commissioners and Persons whose Powers are determined by

by this Act shall cease and be determined, and there shall be no new Appointment or Election to any such Office.

Saving as to Baths and Wash-houses, Metropolitan Burials, Markets, and Charitable Trusts Acts.

XCI. Provided always, That, save as regards the Appointment of Auditors, nothing in this Act shall divest the Vestry of any Parish, or any Commissioners or Burial Board appointed by any Vestry, of any Powers or Property vested in them respectively under the Provisions of the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Seventy-four, or any Act amending the same, or under the Provisions of the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-five, or any Act amending the same, or in anywise affect the Provisions of any of the said Acts; and nothing in this Act shall extend to or affect any Rights, Privileges, Powers, or Authorities vested in any Persons in reference to any Market, or any Powers or Rights for or in relation to the Administration of any Charitable Trusts, save that any Powers or Rights in relation to any such Trusts vested or which would have become vested in the existing Vestry of any Parish shall be vested in the Vestry of such Parish as constituted by this Act.

Expenses incurred under existing Powers relating to paving, &c. to be deemed Expenses incurred in Execution of this Act.

XCII. Provided also, That all Expenses of paving, lighting, watering, cleansing, or improving any Parish or any Part of any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, and all other Expenses in relation to the Regulation, Government, or public Concerns of any such Parish or Part, or of the Inhabitants thereof, except only Expenses incurred in relation to the Affairs of the Church, or for the Management or Relief of the Poor, and other Expenses by Law payable out of any Poor Rate, which are not herein provided for, shall be deemed Expenses incurred in the Execution of this Act, and shall be defrayed accordingly.

As to the Transfer of Property.

XCIII. All Property, Matters, and Things whatsoever vested in such Commissioners or other Body, or in any such Officer as aforesaid, under any such Act, in connexion with any such Duties or Powers as aforesaid, hereby transferred to the Vestry of any Parish or the Board of Works for any District, shall upon the Commencement of this Act be vested in such Vestry or Board; and where any such Property, Matters, or Things are vested in any such Commissioners or Body, or Officer, acting for Parts extending beyond such Parish or District, the Metropolitan Board of Works shall by their Order declare in what Vestry or District Board they shall be vested, and may, if they see fit, apportion the same between the Vestries and District

District Boards within whose respective Districts and Parishes such Parts may be situate, and the same shall be vested accordingly; and any Money in the Possession of any such Commissioners or other Body, or any such Officer, which becomes vested in any such Vestry or Board under this Enactment, and the Income of any other such Property, until sold or disposed of, shall be applicable, as nearly as may be, for the like Purposes as if this Act had not been passed.

Existing Contracts, &c. to remain valid.

XCIV. Provided always, That all Contracts, Agreements, Bonds, Covenants, or Securities made or entered into with or in favour of or by such Commissioners or Body, or any Person in their Behalf, or any such Officer as aforesaid, before the Commencement of this Act, shall remain as valid and effectual and be proceeded on and enforced as if this Act had not been passed; and no Action, Suit, Prosecution, or Proceeding commenced or carried on by or against such Commissioners or Body or any of them respectively shall abate or be discontinued or prejudicially affected by this Act, but shall continue and take effect as if this Act had not been passed; and all Monies coming to such Commissioners or Body under any such Contract, Agreement, Bond, Covenant, Security, Action, Suit, or Proceeding, and which would have been applicable by them if this Act had not been passed for the Purposes of any of the Duties or Powers hereby transferred to any Vestry or District Board, shall be paid over to such Vestry or Board, or as they may direct, and be applied for the like Purposes; and all Monies and Liabilities which such Commissioners or Body, or Officer, would have been liable to pay or discharge, under any such Contract, Agreement, Bond, Covenant, Security, Action, Suit, or Proceeding, out of any Rates to be levied under any such Powers as aforesaid, if this Act had not been passed, and all Costs, Damages, and Expenses which such Commissioners or Body, or any of them respectively, might, if this Act had not been passed, have legally defrayed out of any such Rates, shall be paid out of Rates to be levied by such Vestry or Board as hereinafter provided.

Existing Commissioners, &c. under Local Acts continued in Office until Commencement of this Act.

XCV. Where, under the Provisions of any Local Act in relation to the paving, lighting, watering, cleansing, or improving of any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, or any Part of any such Parish, any Election or Appointment of any Commissioners or Persons whose Powers are determined by this Act is appointed to take place at any Time between the Time of the passing of this Act and the Time appointed for the Commencement thereof, the Commissioners or Persons now acting under such Local Act shall remain in Office, and perform and exercise all the Duties, Powers, and Authorities

Authorities of such Act, until the Commencement of this Act, anything in such Local Act to the contrary notwithstanding.

Powers and Duties of Surveyors of Highways, and Property vested in them, transferred to Vestries and District Boards.

XCVI. Every Vestry and District Board shall, within their Parish or District (exclusively of any other Persons whatsoever), execute the Office of and be Surveyor of Highways, and have all such Powers, Authorities, and Duties, and be subject to all such Liabilities, as any Surveyor of Highways in *England* is now or may hereafter be invested with or liable to by virtue of his Office, under the Laws for the Time being in force, so far as such Powers, Authorities, Duties, and Liabilities are not inconsistent with this Act; but all Expenses which under any such Law ought to be defrayed by Highway Rates shall be defrayed by means of the Rates to be raised under this Act, and all Monies which would be applicable in aid of such Highway Rates shall be applied in aid of the said Rates to be raised under this Act, and no such Vestry or Board shall be subject to any Provisions concerning the Accounts of Surveyors of Highways, or requiring any Returns to be made to any Special Sessions; and all Streets being Highways, and the Pavements, Stones, and other Materials thereof, and all other Things provided for the Purposes thereof by any Surveyor of Highways, or by any Person serving the Office of Surveyor of Highways, or by any Vestry or District Board under this Act, shall vest in and be under the Management and Control of the Vestry or District Board of the Parish or District in which such Highways are situate.

Provision as to Rates already made in Parishes mentioned in Schedule (A.)

XCVII. Provided always, That all Rates made previously to the Commencement of this Act for defraying the Expenses of executing any Duties, Powers, and Authorities hereby transferred to any Vestry or District Board, and all Highway Rates made previously to such Commencement, or so much of such respective Rates as may not have been levied and paid, shall be levied and collected as if this Act had not been passed, and, subject to the Payment or Retainer thereout of any Sum or Expenses lawfully payable out of such respective Rates, shall, where such Rates are levied in a Parish mentioned in Schedule (A.) to this Act, be accounted for and paid over to the Vestry of such Parish, and shall, where levied in any other Parish, be accounted for and paid over to the Board of Works for the District in which such Parish is comprised, and shall in every Case be applied in aid of the Rates to be raised for the like Purposes under this Act in the particular Parish or Part in which the said Rates so made previously to the Commencement of this Act are levied.

Vestry or District Board to cause Streets to be paved.

XCVIII. It shall be lawful for every Vestry and District Board from Time to Time to cause all or any of the Streets within their Parish or District, or any Part thereof respectively, to be paved or repaired when and as often and in such Form and Manner and with such Materials as such Vestry or Board think fit, and to cause the Ground or Soil thereof to be raised or lowered, and the Course of the Channels running in, into, or through the same to be turned or altered, in such Manner as they think proper, and to alter the Position of any Mains or Pipes in or under such Street, such Alteration to be made subject to the Approval of the Engineer of the Company to which such Mains or Pipes belong.

Owners possessing Freehold of Courts, &c. to pave the same.

XCIX. Provided always, That whenever the Freehold of any Court, Passage, or public Place, not being a Thoroughfare, is vested in the Owner of any adjoining House, the paving of such Court, Passage, or public Place shall be done by such Owner, if deemed expedient or necessary by the Vestry or District Board.

Owner of Courts to drain them, and keep the Pavement, &c. in repair.

C. The Owner of any such Court, Passage, or public Place, not being a Thoroughfare, shall, if required by the Vestry or District Board of the Parish or District in which the same is situate, to the Satisfaction of such Vestry or District Board sufficiently pave, cover the Surface of, or repair the same, and lay, at a proper Level, through, over, under, or along such Part thereof as such Vestry or Board may require, a Drain, Channel, or Gutter, and keep such Pavement or Covering, and Drain, Channel, or Gutter, in good Repair, to the Satisfaction of such Vestry or Board; and if any such Owner of any Court, Passage, or public Place, not being a Thoroughfare, do not sufficiently pave or cover the same as aforesaid, or do not lay down therein such Drain, Channel, or Gutter, or do not repair the same respectively, to the Satisfaction of such Vestry or Board, within Fourteen Days after Notice in Writing requiring him so to do has been given to him by such Vestry or Board, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds.

Penalty on Owners for Neglect.

Vaults and Cellars under Streets not to be made without the Consent of the Vestry or Board.

CI. No Vault, Arch, or Cellar shall be made under any Street without the Consent of the Vestry or District Board of the Parish or District in which the same is situate; and all such Vaults, Arches, and Cellars hereafter to be made within any Parish or District mentioned in either of the Schedules (A.) and (B.) to this Act shall be substantially made, and so as not to interfere or communicate with any Drain or Sewer under the Control of any Vestry or District Board, or of the Metropolitan Board of Works, without their Consents respectively

respectively first obtained; and if any Vault, Arch, or Cellar be made contrary to this Provision, it shall be lawful for the Vestry or District Board, or for the Metropolitan Board of Works, to fill up or alter the same, and the Expenses incurred thereby shall be paid by the Owner of such Vault, Arch, or Cellar.

Vaults, &c. under Streets to be repaired by Owners or Occupiers.

CII. All Vaults, Arches, and Cellars made either before or after the Commencement of this Act under any Street in any Parish or District mentioned in either of the Schedules (A.) and (B.) to this Act, and all Openings into the same in any such Street, shall be repaired and kept in proper Order by the Owners or Occupiers of the Houses or Buildings to which the same respectively belong; and in case any such Vault, Arch, or Cellar be at any Time out of Repair, it shall be lawful for the Vestry or District Board of such Parish or District to cause the same to be repaired and put into good Order, and to recover the Expenses thereof from such Owner in the Manner herein-after provided.

Provisions as to the Occupation of underground Rooms as Dwellings.

CIII. Any Room of a House the Surface of the Floor of which Room is more than Three Feet below the Surface of the Footway of the adjoining Street, and any Cellar, where such Room or Cellar is or has been occupied separately as a Dwelling at or before the Time of the passing of this Act, may continue to be so let or occupied if it possess the following Requisites; that is to say,

If there be an Area not less than Three Feet wide in every Part from Six Inches below the Floor of such Room or Cellar to the Surface or Level of the Ground adjoining to the Front, Back, or external Side thereof, and extending the full Length of such Side;

If such Area, to the Extent of at least Five Feet long and Two Feet Six Inches wide, be in front of the Window of such Room or Cellar, and be open or covered only with open Iron Gratings;

If there be in every such Room or Cellar an open Fireplace, with proper Flue therefrom;

If there be a Window Opening of at least Nine Superficial Feet in Area, which Window Opening must be fitted with a Frame filled in with glazed Sashes, of which at the least Four and a Half Superficial Feet must be made to open for Ventilation:

And no such Room nor any Cellar not so let or occupied as aforesaid at or before the Time of the passing of this Act shall be so let or occupied unless it possess the following Requisites; that is to say,

Unless the same be in every Part thereof at least Seven Feet in Height, measured from the Floor to the Ceiling thereof;

Unless

Unless the same be at least One Foot of its Height above the Surface of the Footway of the Street adjoining or nearest to the same;

Unless there be outside of and adjoining the same Room or Cellar, and extending along the entire Frontage thereof and upwards, from Six Inches below the Level of the Floor thereof up to the Surface of the said Footway, an open Area at least Three Feet wide in every Part;

Unless the same be effectually drained and secured against the Rise of Effluvia from any Sewer or Drain;

Unless there be appurtenant to such Room or Cellar the Use of a Watercloset or Privy and an Ashpit furnished with proper Doors and Coverings kept and provided according to the Provisions of this Act;

Unless the same have a Fireplace with a proper Chimney or Flue;

Unless the same have an external glazed Window of at least Nine Superficial Feet in Area clear of the Frame, and made to open in such Manner as is approved by the Surveyor of the Metropolitan Board of Works;

Provided always, that in any Area adjoining a Room or Cellar there may be placed Steps necessary for Access to such Room or Cellar, and over or across any such Area there may be Steps necessary for Access to any Building above the Room or Cellar to which such Area adjoins, if the Steps in such respective Cases be so placed as not to be over or across any such external Window:

And whosoever lets, occupies, or continues to let, or knowingly suffers to be occupied, any Room or Cellar contrary to this Act, shall be liable for every such Offence to a Penalty not exceeding Twenty Shillings for every Day during which the same continues to be so let or occupied; and every Room or Cellar in which any Person passes the Night shall be deemed to be occupied as a Dwelling within the Meaning of this Act; and every District Surveyor acting under the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Eighty-four, or under any Act repealing or amending the same, shall, without any Fee or Reward, report periodically, and otherwise, as the said Metropolitan Board may order, to such Board all Cases in which Rooms or Cellars are occupied contrary to this Enactment in the District of such Surveyor, and also to the respective Vestries and District Boards all such Cases occurring within such Parts of his District as may be within their respective Parishes and Districts; but nothing herein contained shall be construed to disable other Persons from enforcing this Enactment, and taking Proceedings for Penalties thereunder.

CIV. For

CIV. For the Purpose of enforcing the Enactment lastly herein-before contained, it shall be lawful for any such District Surveyor, or for any other Person, having reasonable Grounds for believing that any Room or Cellar is occupied contrary to such Enactment, to demand Admission to inspect the same at any Time between Nine o'Clock in the Morning and Six o'Clock in the Evening; and if Admission be not granted, any Justice having Jurisdiction in the Place where such Room or Cellar is situate may, on Oath before him of Belief that such Room or Cellar is occupied contrary to the said Enactment, by Order under his Hand authorize such District Surveyor or other Person to enter into and inspect such Room or Cellar between the Hours aforesaid.

Power to District Surveyors to enter underground Rooms and Cellars.

If Admission refused, Justice may issue an Order.

CV. In case the Owners of the Houses forming the greater Part of any new Street laid out or made or hereafter to be laid out or made, which is not paved to the Satisfaction of the Vestry or District Board of the Parish or District in which such Street is situate, be desirous of having the same paved, as herein-after mentioned, or if such Vestry or Board deem it necessary or expedient that the same should be so paved, then and in either of such Cases such Vestry or Board shall well and sufficiently pave the same, either throughout the whole Breadth of the Carriageway and Footpaths thereof, or any Part of such Breadth, and from Time to Time keep such Pavement in good and sufficient Repair; and the Owners of the Houses forming such Street shall, on Demand, pay to such Vestry or Board the Amount of the estimated Expenses of providing and laying such Pavement (such Amount to be determined by the Surveyor for the Time being of the Vestry or Board); and in case such estimated Expenses exceed the actual Expenses of such paving, then the Difference between such estimated Expenses and such actual Expenses shall be repaid by the said Vestry or Board to the Owners of Houses by whom the said Sum of Money has been paid; and in case the said estimated Expenses be less than the actual Expenses of such paving, then the Owners of the said Houses shall, on Demand, pay to the said Vestry or Board such further Sum of Money as, together with the Sum already paid, amounts to such actual Expenses.

Provisions for paving new Streets.

CVI. The Vestry or District Board of any Parish or District may, if they think fit, by Notice in Writing put up in any Part of any Street in their Parish or District, not being a Highway, declare their Intention of repairing the same under this Act, and thereupon the same shall be from Time to Time repaired by them under the Authority of this Act: Provided always, that no Street shall be repaired as last aforesaid unless such Notice in Writing be also given to all Persons interested in such Street, or if within One Month after Notice in Writing has been put up or given as last aforesaid any Person

Vestry or Board may declare their Intention of repairing any Street, not being a Highway.

Proviso.

 interested

interested in such Street, or the Person representing or entitled to represent any Person interested as aforesaid, by Notice in Writing to the Vestry or Board object thereto.

Act not to authorize the making any Thoroughfare without the Consent of the Proprietor of the Estate.

CVII. Nothing in this Act shall extend or be construed to extend to authorize the taking down or removing any Bar, Gate, Rail, or other Fence fixed for preventing any Thoroughfare into or from any Square, Street, or Way, without the Consent of the Proprietor of the Estate or Property upon which such Bar, Gate, Rail, or other Fence, Square, Street, or Way shall be situate.

Vestries and District Boards may place Fences &c. to Footways.

CVIII. It shall be lawful for every Vestry and District Board from Time to Time to place any Posts, Fences, and Rails on the Sides of any Footways or Carriageways in their Parish or District, for the Purposes of Safety, and to prevent any Carriage or Cattle from going on the same, and also to place any Posts or other Erections in any Carriageways so as to make the Crossings thereof less dangerous for Foot Passengers, and also from Time to Time to repair and renew any such Posts, Rails, or Fences, or to remove the same, or any other Obstruction or Encroachment on any Carriageway or Footway.

Notice to be given by Companies to Vestries and District Boards when Pavement, &c. is required to be taken up.

CIX. No Company or Person shall break up or open the Pavement, Surface, or Soil of any Street, the Paving whereof is under the Control and Management of the Vestry or District Board of any Parish or District, for the Purpose of making and laying down any Main of Pipes or for any other Purpose whatsoever, except in Cases of Emergency arising from Defects in Pipes or other Works, without having previously given Three clear Days Notice in Writing to such Vestry or District Board, stating in such Notice the Name of the Street and the particular Part thereof in which such Pavement, Surface, or Soil is intended to be broken up or opened, the Day on which the Work is proposed to be commenced, and the Time within which it will be completed; and in any such Case of Emergency as aforesaid such Company or Person shall, within Twelve Hours after they or he begin to break up or open such Pavement, Surface, or Soil as aforesaid, give such Notice as aforesaid to the said Vestry or District Board; and no such Pavement, Soil, or Surface shall be broken up or opened for the Purpose of laying down any new Main of Pipes for the Conveyance of Water during any Part of the Months of *December*, *January*, and *February*, without the Consent of the said Vestry or District Board; and no Gaslight Company shall at any Time break up or open any such Pavement, Surface, or Soil for the Purpose of laying down any new Mains of Pipes, without the Consent in Writing of the said Vestry or District Board; and every Company or Person offending against this Enactment shall for every such Offence forfeit a Sum not exceeding Five Pounds, and

and shall, within Twenty-four Hours after Notice in Writing from the Vestry or District Board, cause such Mains of Pipes to be taken up and removed, and the Pavement, Surface, or Soil to be reinstated and put into its former State: Provided always, that any Gaslight Company may break up or open any such Pavement, Surface, or Soil, for the Purpose of laying down and attaching to Mains and Pipes already existing any new Service Pipes, on giving to the said Vestry or District Board, Three Days at the least before so doing, Notice of their Intention to break up or open such Pavement, Surface, or Soil for such Purpose.

Streets not to be broken up, except under the Superintendence of Vestry or Board.

Streets broken up to be reinstated without Delay.

CX. Whenever it is necessary, from any Cause whatever, for any Company or Person to break up or open the Pavement, Surface, or Soil of any Street, such Street, and the Pavement, Surface, and Soil thereof, shall be broken up and opened under the Superintendence of the Vestry or District Board of the Parish or District in which the same is situate, and in such Manner, and as regards Gas Companies at such Time, as they shall direct; and such Company or Person shall with all convenient Speed complete the Work on account of which the same is broken up or opened, and fill in the Ground and make good the Pavement or Surface or Soil so broken up or opened, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Pavement or Surface or Soil is so broken up or opened to be fenced and guarded, and shall set up and maintain upon or against the Part of the Pavement, Surface, or Soil so broken up or opened a sufficient Light during every Night that such Pavement or Surface or Soil is continued open or broken up.

Penalty on Persons taking up Pavements neglecting to reinstate them, and to place Lights during the Night-time to prevent Accidents.

CXI. If any Company or Person authorized to break up or open any of the Pavement or Surface of any Street, for the Purpose of laying, altering, or repairing any Gas, Water, or other Pipe, or other lawful Cause, do not with due Diligence cause the Ground to be filled in, and the Pavement to be reinstated, and the Surface to be made good, in a proper and substantial Manner, or do not in the meantime fence and guard the same, and affix and maintain Lights during the Night near to the Places where any Ground is open, so as to prevent any Accident, every such Company or other Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds, and also a further Sum not exceeding Forty Shillings, for every Day during which such Offence continues; and no such Pavement shall be considered to have been reinstated in a proper and substantial Manner by any such Company or other Person unless the same have been reinstated with the same or similar Materials of the like Quality and Thickness, and cemented and bound together in the same or in an equally substantial Manner, as those of which it was composed, in such Manner as is satisfactory to the Vestry or Board.

CXII. In

Vestry or District Board to direct Pavements injured by Water or Gas Pipes to be repaired by Company. Penalty for Neglect.

CXII. In case any Part of the Pavement of any Street be sunk, broken, injured, or damaged, by reason of the breaking, bursting, or Want of Repair of any Pipe belonging to any Water, Gas, or other Company, it shall be lawful for the Vestry or District Board of the Parish or District in which such Pavement is situate, if they deem it expedient so to do, to cause Notice to be given to the Company to whom such Pipe is supposed to belong forthwith well and sufficiently to repair and make good such Pavement; and if the Company to whom such Notice is given do not, within Forty-eight Hours next after such Notice, take up such Pavement, and well and sufficiently repair and amend such Pipe, and cause the Ground to be well and sufficiently filled in and rammed down, and the said Pavement to be relaid and repaired, to the Satisfaction of the Vestry or District Board, then such Company so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Company opening the Ground to repair a Pipe discovered to belong to another Company, to give Notice to such Company, and to be reimbursed Expenses.

CXIII. Provided always, That in case it be discovered, after any Pavement in any Street has been taken up by any Company, and the Ground opened, that the Pipe beneath the Surface of such Pavement required to be repaired and amended does not belong to the Company to whom such Notice has been given as aforesaid, but to some other Company, then such first-mentioned Company to whom such Notice has been so given as aforesaid shall, within Forty-eight Hours after such Discovery, cause a Copy of such Notice to be in like Manner given to the Company to whom such Pipe belongs, and require them to obey, conform to, and comply with the original Notice, instead of the Company to whom such original Notice was given as aforesaid; and such other Company to whom such last-mentioned Notice is given as aforesaid shall reimburse and pay, on Demand, to the first-mentioned Company, the reasonable Costs and Charges incurred in and about the taking up of the Pavement and opening the Ground; and the said last-mentioned Company shall obey, conform to, and comply with the said original Notice, and execute and perform the Work mentioned therein, in such and the same Manner, and within such and the same Time, in all respects, as if the said original Notice had been given to such last-mentioned Company, and they shall be liable to and shall incur the same Penalties and Forfeitures, on Neglect so to do, as they would have incurred and been liable to if the said original Notice had been given to them in manner before directed with respect to such first-mentioned Company; and if the Company by whom such Pavement has been first taken up, and who have opened the Ground, neglect to give the Notice hereby required to the Company to whom such Pipe actually belongs, such Company so neglecting shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

CXIV. Provided

CXIV. Provided also, That whenever the permanent Surface or Soil of any Street is broken up or opened, it shall be lawful for the Vestry or District Board of the Parish or District in which the same is situate, in case they think it expedient so to do, to fill in the Ground and to make good the Pavement or Surface or Soil so broken up or opened, and to carry away the Rubbish occasioned thereby, instead of permitting such Work to be done by the Company or Person by whom such Surface or Soil is broken up or opened; and the Expenses of filling in such Ground and of making good the Pavement or Soil so broken up or opened shall be repaid, on Demand, to the Vestry or Board by such Company or Person.

Power to Vestry or District Board to reinstate Pavement, and charge the Expenses to the Parties.

CXV. It shall be lawful for the Vestry or District Board of any Parish or District to contract and agree, for any Term of Years or otherwise, with the several Companies or Persons authorized to take up any of the Pavements or other formed Surface of any of the Streets within such Parish or District, for the filling in, paving, and restoring of such Parts of the said Streets as may be from Time to Time required to be taken up for the Purpose of laying, altering, or repairing any Pipes or other like Purpose.

Power for Vestry or District Board to contract with Company for restoring Pavements.

CXVI. Every Vestry and District Board shall have full Power and Authority to cause all or any of the Streets in their Parish or District to be watered as often as they think fit, and also to cause any Wells to be dug and sunk in such public Places as they think proper, and also to erect and fix any Pumps in any public Places, for the gratuitous Supply of Water to the Inhabitants of the Parish or District.

As to the watering of Streets.

CXVII. Every Vestry and District Board shall cause any Footway within their Parish or District to be scraped, swept, or cleansed in such Manner and at such Times as they think fit; but this Enactment shall not relieve any Occupier of any House or Building or any Company whatsoever from any Liability to scrape, sweep, or cleanse, or cause to be scraped, swept, or cleansed, any Part of any such Footway, or from any Penalty for Neglect so to do.

Vestry or District Board to cause Footways to be cleansed.

CXVIII. It shall be lawful for every Vestry and District Board to appoint and pay, or for Two or more Vestries and District Boards to unite, when necessary, in appointing and paying, suitable Persons to cleanse and sweep, and to keep properly cleansed and swept daily, Crossings for Passengers over the Streets and public Thoroughfares within their respective Jurisdictions, and in such Situations as the said Vestries or District Boards may from Time to Time fix and determine, which Persons so appointed shall be distinguished by their Dress or some distinctive Mark as Public Servants.

Vestries and District Boards may appoint and pay Crossing Sweepers

Owners, &c. to remove future Projections, on Notice from Vestry or District Board.

CXIX. If any Porch, Shed, projecting Window, Step, Cellar Door or Window, or Steps leading into any Cellar or otherwise, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, Showboard, Window Shutter, Wall, Gate, Fence, or Opening, or any other Projection or Obstruction placed or made against or in front of any House or Building after the Commencement of this Act, shall be an Annoyance, in consequence of the same projecting into or being made in or endangering or rendering less commodious the Passage along any Street in their Parish or District, it shall be lawful for the Vestry or District Board to give Notice in Writing to the Owner or Occupier of such House or Building to remove such Projection or Obstruction, or to alter the same, in such Manner as the Vestry or Board think fit; and such Owner or Occupier shall within Fourteen Days after the Service of such Notice upon him remove such Projection or Obstruction, or alter the same in the Manner directed by the Vestry or Board; and if the Owner or Occupier of any such House or Building neglect or refuse, within Fourteen Days after such Notice, to remove such Projection or Obstruction, or to alter the same, in the Manner directed by the Vestry or Board, he shall forfeit any Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during which such Projection or Obstruction continues after the Expiration of such Fourteen Days from the Time when he may be convicted of any Offence contrary to the Provisions hereof.

Penalty for Neglect.

Vestry or District Board may remove existing Projections, and make Compensation for the same.

CXX. It shall be lawful for every Vestry and District Board, if any Projection or Obstruction which has been placed or made against or in front of any House or Building in any such Street before the Commencement of this Act shall be an Annoyance as aforesaid, to cause the same to be removed or altered as they think fit: Provided always, that the Vestry or Board shall give Notice in Writing of such intended Removal or Alteration to the Owner or Occupier against or in front of whose House or Building such Projection or Obstruction shall be, Seven Days before such Removal or Alteration shall be commenced, and shall make reasonable Compensation to every Person who shall incur any Loss or Damage by such Removal, excepting in Cases where the Obstruction or Projection may now be removable under any Act, in which Case no Compensation shall be made.

Hoards to be erected during Repairs.

CXXI. Every Person who shall build or begin to build, or to take down or begin to take down, any House, Building, or Wall, or alter or repair, or begin to alter or repair, the outward Part of any House, Building, or Wall, shall, in all Cases in which the Footway is thereby obstructed or rendered inconvenient, cause to be put up a proper and sufficient Hoard or Fence, with a convenient Platform and Handrail, if there be Room enough for the same, to serve as a Footway

way for Passengers outside of such Hoard or Fence, and shall continue such Hoard or Fence, in such Cases as aforesaid, with such Platform and Handrail, standing and in good Condition, to the Satisfaction of the Vestry or District Board of the Parish or District in which such House, Building, or Wall is situate, during such Time as may be necessary for the Public Safety or Convenience, and shall, in all Cases in which the same is necessary to prevent Accidents, cause such Hoard or Fence to be well lighted during the Night; and every such Person who fails to put up such Hoard or Fence and such Platform, with such Handrail as aforesaid, or who does not, whilst the said Hoard or Fence is standing, keep the same well lighted during the Night, shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during the Continuance of such Default.

Penalty on not erecting Hoards.

CXXII. It shall not be lawful for any Person to erect or set up in any Street any Hoard or Fence or Scaffold for any Purpose whatever, or any Posts, Bars, Rails, Boards, or other Things by way of Inclosure, for the Purpose of making Mortar, or of depositing Bricks, Lime, Rubbish, or other Materials, without a Licence in Writing first had and obtained from the Clerk or Surveyor of the Vestry or District Board of the Parish or District in which such Street is situate; and every such Licence shall state the Place where and the Purpose for which such Hoard or Fence, Scaffold or Inclosure, is to be set up or made, and the Size thereof, and the Time for which it is to be permitted to continue.

No Hoard to be erected without Licence from Vestry or District Board.

CXXIII. If any Person erect or set up in any Street any Hoard or Fence or Scaffold for any Purpose whatever, or any Posts, Bars, Rails, Boards, or other Things by way of Inclosure, for the Purpose of making Mortar, or of depositing Bricks, Lime, Rubbish, or other Materials, without a Licence from the Vestry or District Board, or do any such Act as aforesaid in any other Manner than as permitted by such Licence, or continue the same beyond the Time stated in such Licence, or fail to keep any Hoard, Fence, Platform, or Handrail in good Repair, he shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during the Continuance of such Offence; and it shall be lawful for the Vestry or Board to cause such Hoard, Fence, Scaffold, or Inclosure to be pulled down, and the Materials thereof, and also all the Bricks, Mortar, Lime, or other Building Materials, or other Matters or Things contained within any such Inclosure, to be removed, and deposited in such Place as the Vestry or Board may think fit, and to be kept until the Charges of pulling down and removing the same be paid to the Vestry or Board; and in case the same be not claimed

If Hoard be erected or Materials be deposited in any Manner otherwise than to the Satisfaction of the Vestry or District Board, the same may be removed.

claimed and the said Charges paid within the Space of Eight Days next after such Seizure thereof, it shall be lawful for the Vestry or Board to order the same to be sold, and by and out of the Proceeds of such Sale to pay such Charges, rendering any Surplus to the Owner or other Person by Law entitled thereto; and in case the Proceeds of such Sale be insufficient to cover such Charges, and the Charges of selling and disposing of such Materials, Matters, and Things, the Deficiency shall be repaid by the Owner of such Materials, Matters, and Things to the Vestry or District Board, on Demand.

Providing against Accidents in laying out new Streets, &c.

CXXIV. Every Person laying out or opening any new Street, or building therein, shall, during the Operations necessary for forming such new Street, or for building therein, take all such Precautions for guarding against Injury to the Passengers along such Street as may be directed by the Vestry or District Board of the Parish or District within which such Operations are being carried on; and if any Person fail to comply with the Directions of such Vestry or District Board, within such Time as may be limited by them, such Vestry or District Board may do whatever may be necessary for carrying the same into effect, and the Expenses thereby incurred shall be repaid to such Vestry or District Board by the Person laying out or opening such new Street, or building therein, as aforesaid, and shall be recoverable by them from such Person in manner provided by this Act.

Vestries and District Boards to appoint Scavengers.

CXXV. It shall be lawful for every Vestry and District Board and they are hereby required to appoint and employ a sufficient Number of Persons, or to contract with any Company or Persons, for the sweeping and cleansing of the several Streets within their Parish or District, and for collecting and removing all Dirt, Ashes, Rubbish, Ice, Snow, and Filth, and for the cleansing out and emptying of Privies and Cesspools, Sewers and Drains, in or under Houses and Places within their Parish or District; and such Company or Persons are herein-after referred to as Scavengers; and such Scavengers or their Servants shall, on such Days and at such Hours and in such Manner as the Vestry or District Board shall from Time to Time appoint, sufficiently execute and perform all such Works and Duties as they respectively are employed or contract to execute or perform; and if any such Company or Person fail in any respect properly to execute and perform such Works and Duties such Company or Person shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty for obstructing Scavengers in Performance of their Duty.

CXXVI. Any Occupier of any House or Land or other Person who refuses or does not permit any Soil, Dirt, Ashes, or Filth to be taken away by the Scavengers appointed by or contracting with any Vestry or Board as aforesaid, or who obstructs the said Scavengers in the

the Performance of their Duty, shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

CXXVII. All Dirt, Dust, Nightsoil, Ashes, and Rubbish collected as aforesaid shall be the Property of such Vestry or Board, and such Vestry or Board shall have full Power to sell and dispose of the same for the Purposes of this Act as they shall think proper, and the Person purchasing the same shall have full Power to take, carry away, and dispose of the same for his own Use, and the Money arising from the Sale thereof shall be applied towards defraying the Expenses of the Execution of this Act, other than the Sewerage Expenses.

Refuse collected to be vested in Vestry or District Board, who may dispose of the same towards defraying their Expenses.

CXXVIII. In case any Scavenger be required by the Owner or Occupier of any House or Land to remove the Refuse of any Trade, Manufacture, or Business, or of any Building Materials, such Owner or Occupier shall pay to the Scavenger a reasonable Sum for such Removal, such Sum, in case of Dispute, to be settled by Two Justices.

Owners or Occupiers to pay Scavengers for Removal of Refuse of Trades.

CXXIX. If any Dispute or Difference of Opinion arise between the Owner or Occupier of any such House or Land and the Scavengers required to remove such Refuse as to what shall be considered as Refuse, it shall be lawful for any Two Justices, upon Application made to them by either of the Parties in difference, to determine whether the Subject Matter of Dispute is or is not Refuse of Trade, Manufacture, or Business, or of any Building Materials, and in every such Case the Decision of such Justices shall be final and conclusive.

Dispute as to what is Refuse of Trade, &c. to be determined by Justices.

CXXX. Every Vestry and District Board shall cause the several Streets within their Parish or District to be well and sufficiently lighted, and for that Purpose shall maintain, or set up and maintain, a sufficient Number of Lamps in every such Street, and shall cause the same to be lighted with Gas or otherwise, and to continue lighted at and during such Times as such Vestry or Board may think fit, necessary, or proper; and all public Lamps, and the Lamp Posts and Lamp Irons and Fittings thereof, to be provided by any Vestry or District Board, shall vest in such Vestry or Board.

Vestries and District Boards to cause Streets to be lighted.

CXXXI. Before any Licence for the Use of any Place within any Parish mentioned in either of the Schedules (A.) and (B.) to this Act as a Slaughter-house is granted by any Quarter Sessions of the Peace under the Provisions of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-one, (the Metropolitan Market Act, 1851,) One Month's previous Notice of the Intention to apply for such Licence shall be given to the Vestry or District Board of the Parish or District in which such

No Slaughter-house to be licensed under the 14th & 15th Vict. c. 61. without Notice to Vestry or District Board.

Place is situate, to the Intent that such Vestry or District Board, if they think fit, may show Cause against the Grant of such Licence.

Vestries and District Boards to appoint Medical Officers of Health.

CXXXII. Every Vestry and District Board shall from Time to Time appoint One or more legally qualified Medical Practitioner or Practitioners of Skill and Experience to inspect and report periodically upon the sanitary Condition of their Parish or District, to ascertain the Existence of Diseases, more especially Epidemics increasing the Rate of Mortality, and to point out the Existence of any Nuisance or other local Causes which are likely to originate and maintain such Diseases, and injuriously affect the Health of the Inhabitants, and to take cognizance of the Fact of the Existence of any contagious or epidemic Diseases, and to point out the most efficacious Mode of checking or preventing the Spread of such Diseases, and also to point out the most efficient Modes for the Ventilation of Churches, Chapels, Schools, Lodging Houses, and other public Edifices within the Parish or District, and to perform any other Duties of a like Nature which may be required of him or them; and such Persons shall be called "Medical Officers of Health;" and it shall be lawful for the Vestry or Board to pay to every such Officer such Salary as they think fit, and also to remove any such Officer at the Pleasure of such Vestry or Board.

Appointment of Inspectors of Nuisances.

CXXXIII. Every Vestry and District Board shall nominate and appoint such Number of Persons to be Inspectors of Nuisances in their Parish or District as the Vestry or Board may think fit; and the Inspectors of Nuisances shall superintend and enforce the due Execution of all Duties to be performed by the Scavengers employed or contracted with under this Act, and report to the Vestry or District Board the Existence of any Nuisances; and the Vestry or Board shall require every such Inspector to provide and keep a Book in which shall be entered all Complaints made by any Inhabitant of the Parish or District of any Infringement of the Provisions of this Act, or of any Byelaws made thereunder, or of Nuisances; and every such Inspector shall forthwith inquire into the Truth or otherwise of such Complaints, and report upon the same to the Vestry or Board at their next Meeting; and such Report, and the Order of the Vestry or Board thereon, shall be entered in a Book, which shall be kept at their Office, and shall be open at all reasonable Times to the Inspection of any Inhabitant of the Parish or District; and it shall be the Duty of such Inspector, subject to the Direction of the Vestry or Board, to make Complaints before any Justices, and take legal Proceedings for the Punishment of any Person for any Offence under this Act or any such Byelaws.

CXXXIV. Every

Metropolis Local Management.

CXXXIV. Every Vestry and District Board under this Act shall execute, within their respective Parish or District, all the Duties and Powers exercisable under the Nuisances Removal and Diseases Prevention Act, 1848, and the Nuisances Removal and Diseases Prevention Act, 1849, by any Commissioners or other Body, or any Officers having under any Act Powers of cleansing, and shall be the Local Authority to execute any Act passed or to be passed in the present Session amending or repealing the said Acts or either of them.

Vestries and District Boards to be the Local Authorities to execute the Nuisances Removal Acts.

Duties and Powers of Metropolitan Board of Works.

CXXXV. The Sewers mentioned in Schedule (D.) to this Act, being the Main Sewers now vested in the Commissioners of Sewers of the City of *London* and in the Metropolitan Commissioners of Sewers respectively, with the Walls, Defences, Banks, Outlets, Sluices, Flaps, Penstocks, Gullies, Grates, Works, and Things thereunto belonging, and the Materials thereof, with all Rights of Way and Passage used and enjoyed by such Commissioners respectively over and to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall be vested in the Metropolitan Board of Works, and such Board shall make such Sewers and Works as they may think necessary for preventing all or any Part of the Sewage within the Metropolis from flowing or passing into the River *Thames* in or near the Metropolis, and shall cause such Sewers and Works to be completed on or before the Thirty-first Day of *December* One thousand eight hundred and sixty, and shall also make all such other Sewers and Works, and such Diversions or Alterations of any existing Sewers or Works vested in them under this Act, as they may from Time to Time think necessary for the effectual Sewerage and Drainage of the Metropolis, and shall discontinue, close up, or destroy such Sewers for the Time being vested in them under this Act as they may deem unnecessary, and such Board shall from Time to Time repair and maintain the Sewers so vested in them, or such of them as may not be discontinued, closed up, or destroyed as aforesaid; and for the Purposes aforesaid such Board shall have full Power and Authority to carry any such Sewers or Works through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, as well beyond as within the Limits of the Metropolis, or through or under any Cellar or Vault under the Carriageway or Pavement of any Street, and into, through, or under any Lands whatsoever within or beyond the said Limits, making Compensation for any Damage done thereby as herein-after provided, and all Sewers and Works from Time to Time made by the said Board shall vest in them; and the said Board shall cause the Sewers vested in them to be constructed, covered, and kept so as not to be a Nuisance or injurious

Main Sewers vested in the Metropolitan Board of Works, and Power to such Board to make Sewers.

injurious to Health, and to be properly cleared, cleansed, and emptied, and for the Purpose of clearing, cleansing, and emptying the same they may construct and place, either above or under Ground, such Reservoirs, Sluices, Engines, and other Works as may be necessary, and may cause the Sewage and Refuse from such Sewers to be sold or disposed of as they may see fit, but so as not to create a Nuisance, and the Money arising thereby shall be applied towards defraying the Expenses of such Board.

Before Works for intercepting the Sewage are commenced, Plans, &c. to be submitted to Commissioners of Works.

CXXXVI. Before the Metropolitan Board of Works commence any Sewers and Works for preventing the Sewage from passing into the *Thames* as aforesaid, the Plan of the intended Sewers and Works for the Purpose aforesaid, together with an Estimate of the Cost of carrying the same into execution, shall be submitted by such Board to the Commissioners of Her Majesty's Works and Public Buildings; and no such Plan shall be carried into effect until the same has been approved by such Commissioners.

Metropolitan Board may declare Sewers to be Main Sewers, and take under their Jurisdiction Sewerage Matters under Jurisdiction of Vestries and District Boards.

CXXXVII. In case it appear to the Metropolitan Board of Works that any Sewers in the Metropolis not herein-before vested in such Board ought to be considered Main Sewers, and to be under their Management, it shall be lawful for such Board, by an Order under their Seal, to declare the same to be Main Sewers, and thereupon the same shall vest in and be under the Management of the said Board; and it shall also be lawful for the said Board by any such Order to take under their Jurisdiction and Authority any other Matters in relation to Sewerage and to Drainage with respect to which Jurisdiction or Authority is by this Act vested in any Vestry or District Board.

Metropolitan Board to make Orders for controlling Vestries and District Boards in Construction of Sewers, &c.

CXXXVIII. The Metropolitan Board of Works shall from Time to Time, in order to secure the efficient Maintenance of the main and general Sewerage of the Metropolis, make such General or Special Order as to them may seem proper for the Guidance, Direction, and Control of the Vestries of Parishes and District Boards in the Levels, Construction, Alteration, and Maintenance and cleansing of Sewers in their respective Parishes or Districts, and for securing the proper Connexion and Intercommunication of the Sewers of the several Parishes and Districts and their Communications with the Main Sewers vested in the said Metropolitan Board, and generally for the Guidance, Direction, and Control of Vestries and District Boards in the Exercise of their Powers and Duties in relation to Sewerage; and all such Orders shall be binding upon such Vestries and Boards.

Metropolitan Board may direct Appointments to be made

CXXXIX. The Metropolitan Board of Works, where it appears to them expedient that any Officer or Set of Officers necessary for any of the Purposes of this Act should act for a larger Area than is comprised

comprised in One Parish or District, or for Parts of different Parishes or Districts, may, with the Consent of the Vestries or Boards of such Parishes or Districts, direct that such Vestries or Boards shall unite in the Appointment and Removal of such Officer or Set of Officers; and the said Metropolitan Board shall in such Case direct the Mode in which the respective Bodies or Committees thereof shall act together for the Purposes of every such Appointment and Removal, and the Proportions in which the Salary or Salaries of such Officer or Officers shall be borne and paid by every such Parish and District respectively.

for Two Parishes or Districts jointly.

CXL. It shall be lawful for the Metropolitan Board of Works, where it appears to them that any Street or Line of Street, being in more than One Parish or District, should be placed under the exclusive Management of One Vestry or District Board for the Purposes of paving, lighting, watering, and cleansing, or any of them, or for the Purposes of Sewerage and Drainage, or for all the Purposes of this Act, to order that the same shall be under the Management of such Vestry or Board accordingly; and it shall also be lawful for the said Metropolitan Board, where it appears to them that any Part of any Parish or District is so detached or situate that it would be convenient for the Purposes of Sewerage or Drainage that the same should be placed under the Management of the Vestry or District Board of any adjoining Parish or District, to order that such Part shall, for such Purposes, be under the Management of such Vestry or District Board.

Or may place a Street in different Parishes under the Management of One Vestry, or Part of a Parish under the Management of Vestry of adjoining Parish.

CXLI. It shall be lawful for the Metropolitan Board of Works from Time to Time to cause to be painted or affixed on a conspicuous Part of some House or Building at or near each End, Corner, or Entrance of every Street in the Metropolis the Name of such Street, and the Board may, where more than One Street in the Metropolis is called by the same Name, alter the Name of any or all such Streets, except One, to any other Name which to such Board may seem fit, and which may be approved by the Commissioners of Her Majesty's Works and Public Buildings; and before any Name is given to any new Street Notice of the intended Name shall be given to the said Board, and if there be any Street in the Metropolis called or about to be called by the same Name, the said Board may, by Notice in Writing stating that there is already a Street in the Metropolis called or about to be called by the same Name, and describing the Locality thereof, given to the Person by whom Notice of such intended Name was given to them, at any Time within Fourteen Days after Receipt of such last-mentioned Notice, object to such intended Name; and it shall not be lawful to set up any Name to any new Street in the Metropolis until the Expiration of Fourteen Days after Notice thereof

Metropolitan Board to regulate naming of Streets and numbering of Houses.

 has

has been given as aforesaid to the said Board, or to set up any Name objected to as aforesaid; and the Owners or Occupiers of Houses and Buildings in the several Streets in the Metropolis shall mark such Houses or Buildings with such Numbers or Names, for the Purpose of distinguishing the same, as the said Board may direct or approve, and shall renew the Numbers or Names of such Houses or Buildings as often as they are obliterated or defaced; and if any Occupier of any such House or Building neglect for One Week after Notice from the said Board to mark such House or Building with such Number or Name as the said Board may direct or approve, or to renew the Number or Name thereof as aforesaid, he shall be liable to a Penalty of not exceeding Forty Shillings, and the said Board may cause such Number or Name to be so marked or renewed, and recover the Expense thereof from the Owner of such House or Building in manner hereinafter provided; and if any Person wilfully or maliciously destroy, pull down, obliterate, or deface the Name of any Street in the Metropolis, or the Name or Number of any House or Building in any such Street, or paint, affix, or set up any Name to any Street, or any Name or Number to any House or Building, contrary to this Enactment, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Board to cause such Name or Number so painted, affixed, or set up contrary to their Directions to be obliterated or destroyed.

Register to be kept of Alterations in Names of Street.

CXLII. The said Metropolitan Board shall keep a Register of all Alterations made by them in the Names of Streets, and such Register shall be kept in such Form as to show the Date of every such Alteration, and the Name of the Street previous to such Alteration as well as the new Name thereof.

Buildings not to be brought beyond Line of Street.

CXLIII. No Building shall, without the Consent in Writing of the Metropolitan Board of Works, be erected beyond the regular Line of Buildings in the Street in which the same is situate, in case the Distance of such Line of Buildings from the Highway do not exceed Thirty Feet, or within Thirty Feet of the Highway where the Distance of the Line of Buildings therefrom amounts to or exceeds Thirty Feet, notwithstanding there being Gardens or vacant Spaces between the Line of Buildings and the Highway; and in case any Building be erected contrary to this Enactment, it shall be lawful for the Vestry or District Board in whose Parish or District such Building is situate to cause the same to be demolished or set back (as the Case may require), and to recover the Expenses incurred by them from the Owner of the Premises in manner provided by this Act.

CXLIV. The

Metropolis Local Management.

CXLIV. The Metropolitan Board of Works shall have Power to make, widen, or improve any Streets, Roads, or Ways, for facilitating the Passage and Traffic between different Parts of the Metropolis, or to contribute and join with any Persons in any such Improvements as aforesaid, and to take, by Agreement or by Gift, any Land, Rights in Land, or Property, for the Purposes aforesaid (or otherwise) for the Improvement of the Metropolis, on such Terms and Conditions as they may think fit; and such Board, where it appears to them that further Powers are required for the Purpose of any Work for the Improvement of the Metropolis or public Benefit of the Inhabitants thereof, may make Applications to Parliament for that Purpose, and the Expenses of such Application may be defrayed as other Expenses of the said Board: Provided always, that before the Metropolitan Board of Works commence any such Works the estimated Expense whereof shall exceed Fifty thousand Pounds the Plan of such Works, together with an Estimate of the Cost of carrying the same into execution, shall be submitted by such Board to the Commissioners of Her Majesty's Works and Public Buildings; and no such Plan shall be carried into effect until the same has been approved by such Commissioners; and no such Works shall be commenced in Cases where the estimated Expense thereof shall exceed the Sum of One hundred thousand Pounds without the previous Sanction of Parliament.

Power to Metropolitan Board to make Improvements.

Determination of Metropolitan Commission of Sewers.

CXLV. From and after the Commencement of this Act, all Duties, Powers, and Authorities vested in the Metropolitan Commissioners of Sewers shall cease to be so vested; and in the meantime, and until such Commencement, the Metropolitan Commission of Sewers, and the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, and the Acts amending the same, shall continue in force.

Powers of Metropolitan Commissioners of Sewers to cease.

CXLVI. No Action, Suit, Prosecution, or other Proceeding whatsoever, commenced or carried on by or against the said Commissioners, shall abate or be discontinued or prejudicially affected by the Determination of the Powers of such Commissioners, but shall continue and take effect in favour of or against the Metropolitan Board of Works in the same Manner in all respects as the same would have continued and taken effect in relation to the said Commissioners if this Act had not been passed, and the Powers of the said Commissioners had continued in full Force; and all Decrees and Orders made, and all Fines, Amerciaments, and Penalties imposed and incurred, respectively, previously to the Commencement of this Act, shall and may be enforced, levied, recovered, and proceeded for, and all administrative Proceedings commenced previously to the Commencement of this Act shall and may be continued, proceeded with, and completed, the Metropolitan Board of

Actions, &c. not to abate, but to continue for or against Metropolitan Board of Works.

of Works being, in reference to the Matters aforesaid, in all respects substituted in the Place of the said Commissioners.

Rates made by Metropolitan Commissioners of Sewers to be recoverable under this Act.

CXLVII. All Rates made by the said Commissioners previously to the Commencement of this Act, or so much thereof as may not have been levied and paid, shall be levied by and paid to the Metropolitan Board of Works, and such Board shall have the same Rights and Remedies in all respects in relation thereto as would have been had and might have been exercised by the said Commissioners; but all such Rates respectively shall, so far as Circumstances admit, be applied to the same Purposes as the same would have been applicable to in case the Powers of the said Commissioners had continued in force, and shall for the Purposes of such Application (where the Circumstances so require) be paid over by the Metropolitan Board of Works, or by their Order, to the Vestry or District Board having the Management of the Sewers in any Parish or District under this Act, or as such Vestry or Board may direct.

Property vested in Metropolitan Commissioners of Sewers (except Sewers transferred to Vestries and District Boards) transferred to the Metropolitan Board of Works.

CXLVIII. All Property, Matters, and Things whatsoever vested in the Metropolitan Commissioners of Sewers, except such Sewers as are hereby vested in any Vestry or District Board, and except such Sewers as are not within the Limits of the Parishes and Places mentioned in the Schedules to this Act, shall be vested in the Metropolitan Board of Works; and all Persons who then owe any Money to the said Commissioners of Sewers, or to any Person on behalf of such Commissioners, shall pay the same to the Metropolitan Board of Works, or as they may direct; and all Monies then due and owing by or recoverable from the said Commissioners shall be paid by or recoverable from the Metropolitan Board of Works; and all Contracts, Agreements, Bonds, Covenants, and Securities theretofore made or entered into with or in favour of or by the said Commissioners, and all Contracts, Agreements, Bonds, Covenants, and Securities made or entered with or in favour of or by any former or other Commissioners, which under the said Act of the Eleventh and Twelfth Years of Her Majesty were to take effect in favour of, against, and with reference to the said Metropolitan Commissioners of Sewers, and are now in force, shall take effect and may be proceeded on and enforced, as near as Circumstances admit, in favour of, by, against, and with reference to the Metropolitan Board of Works, as the same would have taken effect and might have been proceeded on and enforced in favour of, by, against, and with reference to the said Metropolitan Commissioners of Sewers if this Act had not been passed, and the Powers of such Commissioners had continued in full Force; and any Retiring Pension or Allowance granted under Section Twenty-seven of the said Act of the Eleventh and Twelfth Years of Her Majesty shall continue payable on the like Terms by the said Metropolitan Board of Works.

Auxiliary

Auxiliary Powers common to the Metropolitan Board of Works and to Vestries and District Boards.

CXLIX. The Metropolitan Board of Works, and every District Board and Vestry, may enter into all such Contracts as they may think necessary for carrying this Act into execution; and every such Contract for Works or Materials whereof the Value or Amount exceeds Ten Pounds shall be in Writing or Print, or partly in Writing and partly in Print, sealed with the Seal of the Board or Vestry; and every Contract so entered into, and duly executed by the other Parties thereto, shall be binding on the Board or Vestry and their Successors, and upon all other Parties thereto: Provided always, that it shall be lawful for any such Board or Vestry to compound with any Contractor or other Person in respect of any Penalty incurred by reason of the Nonperformance of any Contract entered into as aforesaid, whether such Penalty be mentioned in any such Contract or in any Bond or otherwise, for such Sum of Money or other Recompence as to the Board or Vestry may seem proper.

Power to Boards and Vestries to enter into Contracts for carrying Act into execution.

Power to compound for Penalties in respect of Breach of Contracts.

CL. It shall be lawful for the Metropolitan Board of Works and every District Board and Vestry to purchase, or to take on Lease for such Term as they may think fit, any Land, or any Right or Easement in or over any Land which they may deem necessary or expedient for the Formation or Protection of any Works which they are authorized to execute under this Act, also any Offices and other Buildings, Yards, Stations, or Places for Deposit of Refuse, Materials, and Things, or any Land for the Erection and Formation of such Offices and other Buildings, Yards, Stations, or Places for Deposit; and also to contract for the Purchase, Removal, or Abatement of any Milldam, Pound, Weir, Bank, Wall, Lock, or other Obstruction to the Flow of Water, whereby Sewerage or Drainage is interrupted or impeded, and for the Purchase of any Land, or any Right or Easement in or over any Land, which it may be necessary or expedient to purchase to prevent the Obstruction of Sewerage or Drainage; and also to purchase or take on Lease as aforesaid the whole or any Part of any Streams or Springs of Water, or any Rights therein, which it appears to them necessary to acquire and use for the Purposes of cleansing Sewers and Drains and the other Purposes of this Act, or any Land which is deemed by them advisable to purchase or take on Lease for the Purpose of drawing or obtaining Water from Springs, or by sinking of Wells, and for making and providing Reservoirs, Tanks, Aqueducts, Watercourses, and other Works, or for any other Purpose connected with the Works for obtaining such Supply of Water as aforesaid: Provided always, that nothing herein contained shall authorize the said Metropolitan Board, or any District Board or Vestry, to use or permit to be used any such Works for the

Power to Boards and Vestries to purchase Lands, &c. for the Purposes of this Act

 Purpose

Purpose of carrying Water by Supply Pipes into any House or Factory for domestic, manufacturing, or commercial Purposes.

Certain Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

CLI. For the Purpose of enabling the said Metropolitan Board, and every District Board and Vestry, to obtain any Land, or any Right or Easement in or over any Land, which they respectively may require for the Purposes of this Act, "The Lands Clauses Consolidation Act, 1845," except the Provisions of that Act with respect to the Recovery of Forfeitures, Penalties, and Costs, shall, subject to the Provisions herein contained, be incorporated with this Act; and the Provisions of the said Act so incorporated with this Act which would be applicable in the Case of a Purchase of any Land shall be applicable in the Case of the Purchase of a Right or Easement in or over any Land; and for the Purposes of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Lands Clauses Consolidation Act, shall mean the Metropolitan Board, or the District Board or Vestry, acting under the Provisions of the said Act and this Act, as the Case may be.

Lands not to be taken compulsorily, except by Metropolitan Board with Consent of Secretary of State.

CLII. Provided always, That the Provisions of the said Lands Clauses Consolidation Act "with respect to the Purchase and taking of Lands otherwise than by Agreement" shall not be incorporated with this Act, save for enabling the Metropolitan Board of Works to take Land, or any Right or Easement in or over Land, for the Purpose of making any Sewers or Works for preventing the Sewage or any Part of the Sewage within the Metropolis from passing into the *Thames* in or near the Metropolis, or otherwise for the Purpose of the Sewerage or Drainage of the Metropolis: Provided also, that no Land, or Right or Easement in or over Land, for the Purposes aforesaid, shall be taken compulsorily by the said Board, without the previous Consent in Writing of One of Her Majesty's Principal Secretaries of State.

Previous Notice to be given.

CLIII. The Metropolitan Board of Works, before applying for the Consent of the Secretary of State for taking Land, or any Right or Easement in or over Land, compulsorily, as aforesaid, shall publish, once at the least in each of Four consecutive Weeks, in One of the daily Newspapers published in the Metropolis, an Advertisement describing the Nature of the Works in respect of which the Land, Right or Easement, is proposed to be taken, naming a Place where a Plan of the proposed Works is open for Inspection at all reasonable Hours, and stating the Quantity of Land or the Particulars of the Right or Easement that they require for the Purpose of such Works, and shall serve a Notice on the Owners or reputed Owners, Lessees

Lessees or reputed Lessees, and Occupiers of the Land intended to be taken, or of the Land in or over which such Right or Easement is intended to be taken, such Service to be made Four Weeks previously to the Application to such Secretary of State, and such Notice shall state the Particulars of the Land, Right, or Easement so required, and that the Metropolitan Board are willing to treat for the Purchase thereof, and as to the Compensation to be made for the Damage that may be sustained by reason of the proposed Works.

Power to dispose of Lands or Property not wanted.

CLIV. The Metropolitan Board of Works, and any District Board or Vestry, may sell and dispose of any Land purchased by them under this Act, and any Property whatsoever vested in them under this Act, which it may appear to them may be properly sold or disposed of; and for completing and carrying any such Sale of any Land into effect such Board may make and execute a Conveyance of the Land sold and disposed of as aforesaid unto the Purchaser, or as he shall direct, and such Conveyance shall be under the Seal of the said Board or Vestry; and the Word "grant" in such Conveyance shall have the same Operation as by the said Lands Clauses Consolidation Act, 1845, is given to the same Word in a Conveyance of Lands made by the Promoters of the Undertaking; and a Receipt under the Seal of the said Board or Vestry shall be a sufficient Discharge to the Purchaser of any such Land or any other such Property as aforesaid for the Purchase Money in such Receipt expressed to be received; and the Money arising from such Sale of any Land purchased under this Act, and (except as herein-after otherwise provided) of any such Property, shall be applied in aid of the Rate out of which the Expenses of the Purchase of such Land or providing such Property have been or are authorized to be defrayed under this Act; and the Money arising from the Sale of any Property vested in any such Board or Vestry under this Act, and which, before becoming so vested, was vested in any Commissioners or other Body, or in any Officer of any Commissioners or other Body, or in any Surveyor of Highways, shall be applied in or towards the Discharge of any Debts or Liabilities for the Discharge whereof Rates are by this Act authorized to be raised in the Parish, or Part, to the Commissioners or other Body for the Management of the paving, lighting, or cleansing whereof such Property may have belonged before the Commencement of this Act, and, subject as aforesaid, shall be applied in aid of such Rate to be raised under this Act in such Parish or Part as to the Board or Vestry disposing of such Property may seem just; and any such Board or Vestry may let any Land purchased by or vested in them under this Act, and which for the Time being is not required for the Purposes thereof, in such Manner and on such Terms as such Board or Vestry may see fit.

CLV. Pro-

Owners of Land may on Sale reserve a Right of Pre-emption.

CLV. Provided always, That where any Land or any Right or Easement in or over Land is purchased by the said Metropolitan Board, or any District Board or Vestry, under this Act, it shall be lawful for the Owners of or Parties entitled to sell or convey such Land, Right, or Easement to reserve upon the Sale thereof to such Board or Vestry in and by the Conveyance such Right of Pre-emption to the Person for the Time being entitled to the Land (if any) from which the Land so purchased was severed, or in or over which such Right or Easement is granted, as is provided by Sections 128, 129, and 130 of the said Lands Clauses Consolidation Act; but, except where such Right of Pre-emption is so reserved, there shall be no such Right, notwithstanding the Incorporation of the said Lands Clauses Consolidation Act with this Act.

Penalty for withholding Property transferred to Metropolitan Board or any Vestry or District Board.

CLVI. In case any Person having the Charge, Control, or Possession of any Property, Matters, or Things vested in the Metropolitan Board of Works, or the Vestry of any Parish, or any District Board, by or under this Act, neglect or refuse to give up the same, on Demand, to such Board or Vestry, or such Person as they respectively may order, every Person so offending shall, upon being convicted thereof before any Two Justices of the Peace, for every such Offence forfeit and pay, over and above the Value of the Property not given up, such Sum not exceeding Five Pounds as the said Justices may think fit.

Regulations as to breaking up Turnpike Roads.

CLVII. The Metropolitan Board of Works, and any Vestry or District Board, may, where necessary for the Purpose of executing any Work authorized by this Act, open and break up any Turnpike Road, under and subject to the Restrictions and Provisions herein-after contained; that is to say, Seven Days previous Notice, with a full Description of any intended Works, shall be left at the Office of the Commissioners or Trustees of the Road; and, except by the Permission of the said Commissioners or Trustees, the Traffic of the Road shall not at One Time be stopped or hindered along more than Half of its Width, nor, if the Half left open be of less than the clear Width of Fourteen Feet, along more than One hundred Yards in Length; and no Alteration shall, except by such Permission as aforesaid, be made in the Inclination of any Part of the Road of more than One Foot in Sixty Feet; and all Work shall be done under the Superintendence of the Surveyor of the said Commissioners or Trustees; and the Party doing the Works shall cause all Openings in the Road to be effectually secured and fenced, and affix and maintain Lights during the Night near to the Place where the Ground is open, so as to prevent Accidents; and the said Commissioners or Trustees are hereby absolved from all Liability in respect of any Accident arising in consequence of such Works; and the

the Party doing the Works shall restore every Road so opened or broken up to its original State as to Surface and Materials, and, in order to meet the future Expenses consequent on the Subsidence of Materials newly filled in, shall pay to such Commissioners or Trustees, on Demand, such Sum as they shall require for such Purpose, not exceeding One Shilling for every Superficial Square Yard, and, so far as the Works affect the same, shall make good all Drainage, paving of Water Channels, Kerbs of Footpaths, and other Matters and Things connected with the Maintenance of the Road; and in default the Surveyor of the said Commissioners or Trustees may cause the necessary Work to be done; and in all Cases of Expense incurred by any such Surveyor, on the Default of the Party doing the Works, such Party shall pay such Expense to the Commissioners or Trustees, on Demand.

Provisions for defraying Expenses of Vestries and District Boards.

How Sums to be raised by Vestries and District Boards for defraying their Expenses.

CLVIII. Every Vestry and District Board shall from Time to Time, by Order under their Seal, require the Overseers of their Parish, or of the several Parishes in their District, to levy, and to pay over to the Treasurer of such Vestry or Board, or into any Bank in such Order mentioned, and within the Time or Times thereby limited, the Sums which such Vestry or Board may require for defraying the Expenses of the Execution of this Act (and such Orders may be made wholly or in part in respect of Expenses already incurred or of Expenses to be thereafter incurred); and every such Vestry and Board shall distinguish in their Orders Sums required for defraying Expenses of constructing, altering, maintaining, and cleansing the Sewers or otherwise connected with Sewerage, and also, where the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, or any other Act by virtue whereof Land is rated in respect of Expenses of Lighting at a less Amount in proportion to the annual Value thereof than Houses, or is wholly exempted from being rated in respect of such Expenses, is in force in any Parish, or any Part of any Parish, at the Time of the passing of this Act, distinguish, as regards such Parish, or Part, the Sums required for defraying Expenses of lighting their Parish or District from Sums required for defraying other Expenses of executing this Act; but every such Vestry and Board may cause to be raised as Expenses connected with Sewerage such Portion of the Expenses incident to the Conduct of their Business in relation to Sewerage, in common with the Conduct of their other Business under this Act, as to such Vestry or Board may seem just; and the Overseers or Collectors, in the Receipts to be given for the Sums levied or collected by them, shall distinguish the Rate in the Pound required for Sewerage Expenses, and the Rate required for the other Expenses of this Act.

Vestries and Boards may exempt Parts not benefited by Expenditure from Payment.

CLIX. Where it appears to any Vestry or District Board that all or any Part of the Expenses for defraying which any Sum is by such Vestry or Board ordered to be levied as aforesaid have or has been incurred for the special Benefit of any particular Part of their Parish or District, or otherwise have or has not been incurred for the equal Benefit of the whole of their Parish or District, such Vestry or Board may, by any such Order, direct the Sum or Sums necessary for defraying such Expenses or any Part thereof to be levied in such Part, or exempt any Part of such Parish or District from the Levy, or require a less Rate to be levied thereon, as the Circumstances of the Case may require; and any such Board may refrain, where any entire Parish ought in their Judgment to be so exempt, from issuing an Order for levying any Money thereon, notwithstanding they may issue an Order or Orders for levying Sums upon any other Parish or Parishes in their District.

Provisions for Cases where a Part of a Parish is placed under the Management of the Vestry or Board of adjoining Parish or District.

CLX. Where Part of any Parish is placed for all or any of the Purposes of this Act under the Management of the Vestry or District Board of an adjoining Parish or District, the Sums which such Vestry or Board may require for defraying the Expenses of executing this Act by such Vestry or Board in the Part so placed under their Management shall be from Time to Time paid, upon their Orders, by the Vestry of the Parish whereof such Part is so placed under the Management of such other Vestry or Board, or if such Parish is comprised in a District formed by this Act then by the District Board of such District; and such Sums shall be raised by the Vestry or Board upon whom such Orders are made in like Manner as if the Expenses in respect whereof the same are required had been incurred by them in executing this Act.

Overseers to collect the Rate in the same Manner as the Poor Rate.

CLXI. The Overseers of the Poor of every Parish to whom any such Order as aforesaid is issued shall levy the Amount mentioned therein according to the Exigency thereof, and shall for that Purpose make separate equal Pound Rates upon their Parish, or the Part thereof upon which any Sum specified in such Order is required to be levied, in respect of each Sum thereby ordered to be levied; that is to say, a separate Rate in respect of each Sum ordered to be levied for defraying Expenses connected with Sewerage, to be called a Sewers Rate; a separate Rate in respect of each Sum ordered to be levied for defraying Expenses of lighting (where a separate Sum is ordered to be levied for defraying such Expenses), to be called a Lighting Rate; and a separate Rate in respect of each Sum ordered to be levied for defraying other Expenses of executing this Act, to be called a General Rate; and shall make such respective Rates of such Amount in the Pound on the annual Value of the Property rateable as will in their Judgment, having

having regard to all Circumstances, be sufficient to raise the Sums specified in such Order; and such Rates shall be levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor in the respective Parishes, and shall be assessed upon the net annual Value of such Property ascertained by the Rate for the Time being for the Relief of the Poor; and the said Overseers shall, for the Purpose of levying such Rates, proceed in the same Manner, and have the same Powers, Remedies, and Privileges, as for levying Money for the Relief of the Poor; and all such Rates shall be allowed in the same Manner, and be subject to all the same Provisions in relation to Appeal and to excusing Persons from Payment on account of Poverty and otherwise, as the Rate for the Relief of the Poor in the same Parish; and such Overseers shall pay to the Treasurer of the Vestry or Board, or otherwise, as in such Order directed, the Amount mentioned in the Order, within the Time or respective Times specified for that Purpose, and the Excess, if any, which may have been levied beyond such Amount, which Excess shall be placed to the Credit of the Parish or Part in which the same has been levied; and the said Overseers shall at the Time of making any such Payment deliver with the Money a Note in Writing signed by them, specifying the Amount so paid, which Note shall be kept as a Voucher for the Receipt of that particular Amount; and the Receipt of the Treasurer of the Vestry or Board, or of any proper Officer or Person of or belonging to any Bank into which such Money is so paid, specifying the Amount paid to him by the Overseers, shall be a sufficient Discharge to the Overseers for such Amount.

Public Buildings and void Spaces now rateable (except Churches and Burial Grounds) to continue rateable.

CLXII. Provided always, That all such Hospitals, public Schools, and other public Buildings, dead Walls, and void Spaces of Ground as are now by Law rateable to any Rate for the Costs and Charges of paving or repairing the Pavements within any parochial or other District, either separately or jointly with any other Object or Objects, (except only Places of Religious Worship, and Burial Grounds, or Places which have been used for Burial Grounds, and are not used for any other Purpose,) shall be rateable under this Act to the like Extent and for the like Objects or Purposes as they may now be rated, and the Rates to be made in respect of such Objects or Purposes shall be payable by the Persons now liable to pay the same, and be recoverable in like Manner, as any Rate to which such Buildings and Spaces of Ground are now rateable as aforesaid in respect of the like Objects or Purposes.

Land to be rated to the Sewers Rate at One Fourth Part of its annual Value.

CLXIII. Provided also, That any Sewers Rate raised under this Act shall, as regards all Land used as Arable, Meadow, or Pasture Ground only, or as Woodland, Orchard, Market Garden, Hop, Herb, Flower, Fruit, or Nursery Ground, be assessed and levied in the Proportion of One Fourth Part only of the net annual Value of such Land.

CLXIV. Pro-

Existing Exemptions in respect of Sewers Rate to be allowed.

CLXIV. Provided also, That where any Property was at the Time of the issuing of the First Commission under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, entitled to Exemption from or to any Reduction or Allowance in respect of the Sewers Rate, such Exemption, Reduction, or Allowance shall be observed and allowed in levying any Sewers Rate under this Act.

Existing Exemptions of Land from Lighting Rates to be allowed.

CLXV. Provided also, That in every Parish or Part of a Parish in which at the Time of the passing of this Act the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, is in force, the Owners and Occupiers of Houses, Buildings, and Property other than Land shall be rated to every Lighting Rate made under this Act at a Rate in the Pound Three Times greater than that at which the Owners and Occupiers of Land shall be rated in such Lighting Rate; and in every Parish or Part of a Parish in which under any other Act Land is now rated in respect of Expenses of lighting at a less Amount in proportion to the annual Value thereof than Houses, or is now wholly exempted from being rated in respect of such Expenses, such Land shall continue to be rated to every Lighting Rate made under this Act at such less Amount, or, where such Land is now wholly exempted as aforesaid, shall be wholly exempted from such Rate.

Overseers, on Nonpayment of the Rate, shall be distrained upon;

and in default of sufficient Distress the Arrears may be levied on the Parish.

CLXVI. In case the Amount ordered by any such Order as aforesaid to be paid by the Overseers of any Parish be not paid in manner directed by such Order and within the Time therein specified for that Purpose, it shall be lawful for any Justice of the Peace, upon the Complaint by the Vestry or Board, or by any Person authorized by them for this Purpose, to issue his Warrant for levying the Amount, or so much thereof as may be in arrear, by Distress and Sale of the Goods of all or any of the said Overseers; and in case the Goods of all the Overseers be not sufficient to pay the same, the Arrears thereof shall be added to the Amount of the next Levy which shall be directed to be made in such Parish for the Purposes of this Act, and shall be collected by the like Methods.

Provision for Cases where the Vestry of any Parish in Schedule (A.) make the Poor Rate.

CLXVII. Where the Vestry of any Parish mentioned in Schedule (A.) to this Act make the Rate for the Relief of the Poor in such Parish, such Vestry shall from Time to Time raise and levy the Sums required for defraying their Expenses of executing this Act in like Manner as Overseers are required to do with respect to the Sums for which Orders are made upon them by any Vestry under this Act, and shall, in raising such Sums, act upon the like Principles and have

have the like Discretion as any Vestry making Orders upon Overseers under this Act; and where any Parishes maintain their Poor in common by a common Rate, the Orders for levying any Money by this Act directed to be made on the Overseers of such Parishes shall be made on the Overseers by Law authorized to levy such Rate thereon, and such Sums shall be levied by such Overseers, in manner provided by this Act, as if such Parishes were One Parish.

Special Persons may be appointed to levy Rates in certain Cases.

CLXVIII. Any Vestry or District Board may, in case of any Default or Neglect of any Overseers to pay the Amount required by any such Order as aforesaid within the Time and in the Manner directed by such Order, and the said Metropolitan Board may, in case of any Default or Neglect of any Vestry or District Board to pay the Amount required by any Precept of the said Metropolitan Board within such Time and in such Manner as may be therein mentioned, appoint Persons to levy any Money required by such Vestry or Board for the Purposes of this Act in any Parish or District, and such Persons shall proceed in the same Manner, and have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Money, as any Overseers would have had or been subject to with reference to levying any such Money in pursuance of an Order of the Vestry or District Board, or, where the same might be levied by the Vestry under this Act, as such Vestry would have had or been subject to with reference to levying the same.

Provision for Deduction by Tenants of Sewers Rate.

CLXIX. As between Landlord and Tenant, every Tenant, whether his Tenancy have commenced before or after the passing of this Act, and who if this Act had not been passed would have been entitled to deduct against or to be repaid by his Landlord any Sum paid by such Tenant on account of the Sewers Rate, shall in like Manner be entitled to deduct against or to be repaid by his Landlord any Sewers Rate levied on him under this Act.

Provisions for defraying Expenses of Metropolitan Board.

Sums to be assessed upon the City and other Parts of the Metropolis by Metropolitan Board for defraying Expenses.

CLXX. The Metropolitan Board of Works shall from Time to Time ascertain and assess upon the City of *London* and the other Parts of the Metropolis the Sums which in their Judgment ought to be charged upon the said City and such other Parts respectively for defraying the Expenses of the said Board in the Execution of this Act, having regard to the annual Value of the Property in the several Parts of the Metropolis, and having regard, in the Case of Expenditure on Works of Drainage, to the Benefit derived from such Expenditure by the several Parts of the Metropolis affected thereby; and any such Sum may be so assessed wholly or in part in respect of Expenses

 already

already incurred or of Expenses to be thereafter incurred; and for the Purposes of such Assessment the annual Value of the Property in such several Parts shall be estimated according to the Estimate or Basis on which the County Rate is assessed, or, where there is no such County Rate, according to a like Estimate.

Power to Metropolitan Board, or any One authorized by them, to inspect Rates made for County or Part of County within the Metropolis.

CLXXI. The Clerk of the said Metropolitan Board, or any Person authorized by the said Board in this Behalf, may from Time to Time inspect any Rate made or to be made for any County any Part of which is within the Metropolis; and any Basis or Standard for the County Rate of any such County, and any Returns concerning all or any of the Parishes and Places, whether parochial or extra-parochial, in the Metropolis, delivered or to be delivered in pursuance of any Act relating to County Rates, and any Rate made by the Commissioners of Sewers of the City of *London*, and any Valuation on which the same is made, and may take Copies or Extracts from any such Rates, Basis or Standard, Returns or Valuation, without Payment of any Fee or Reward; and if any Person having the Custody of any such Rate, Basis or Standard, Return or Valuation, wilfully neglect or refuse to permit any such Clerk or Person authorized as aforesaid to inspect the same, or to take Copies or Extracts of or from the same, at all reasonable Times, he shall forfeit for every such Offence any Sum not exceeding Ten Pounds.

Payment to be obtained from the City and from Parishes by Precepts to the Chamberlain of the City and to Vestries and District Boards.

CLXXII. For obtaining Payment of the Sums so assessed upon the City of *London* and the Parishes mentioned in Schedules (A.) and (B.) to this Act, the said Board shall issue Precepts under their Seal, requiring Payment thereof to their Treasurer, or into any Bank therein mentioned, within such Time as may be therein limited, and every such Precept for any Sum assessed upon the City of *London* shall be directed to the Chamberlain of the said City; and every such Precept for any Sum assessed upon any Parish mentioned in Schedule (A.) to this Act shall be directed to the Vestry thereof; and every such Precept for any Sum assessed upon any District mentioned in Schedule (B.) to this Act, or any Parish comprised therein, shall be directed to the Board of Works for such District; and where any such Sum is assessed upon any Part of any Parish or District, the said Metropolitan Board shall specify in their Precept the Part of such Parish or District upon which such Sum is assessed.

Payment of Sums assessed upon the City.

CLXXIII. The Chamberlain of the City of *London* shall, out of any Monies in the Chamber of the said City, pay to the Treasurer of the Metropolitan Board of Works, or otherwise as they may direct, the Sums required by their Precepts, within such Time as may be therein mentioned; and all Payments so made by the said Chamberlain shall be

be charged by him against and reimbursed to him out of any Rates which the Commissioners of Sewers of the City of *London* are authorized to direct to be made under any Act relating to the Sewerage of the said City; and such Commissioners shall have full Power to raise every such Sum by any such Rate which they may be authorized to direct to be made as aforesaid, or by any Addition thereto.

Payment by Vestries and District Boards of Sums assessed by Metropolitan Board.

CLXXIV. All Sums which any Vestry or District Board may be required to pay by such Precepts as aforesaid shall be paid by such Vestry and Board respectively within such Time as may be therein mentioned, and shall be raised in like Manner as if the same were required by the said Vestry or Board for defraying the Expenses of such Vestry or Board in the Execution of their Powers and Duties under this Act in relation to the Sewerage of their Parish or District.

Provision for assessing and levying Rates in Places where there is no Poor Rate.

CLXXV. The Sums which may be assessed from Time to Time upon any Place mentioned in Schedule (C.) to this Act, or such Part thereof as may not be comprised within any Parish, or the City of *London*, shall be raised by means of a Rate to be made and levied as herein provided; that is to say, the said Metropolitan Board shall from Time to Time, by Warrant under their Seal, appoint a proper Person to be an Assessor, for the Purpose of assessing the full and fair annual Value of all Property in every such Place, or such Part thereof as aforesaid, which, if the same were not extra-parochial, would be liable to be rated to the Relief of the Poor, and rating the same to a Rate to be levied under this Act; and such Assessor shall, within Forty Days after the Delivery to him of the Warrant of his Appointment, make, sign, and return to the said Board an Assessment for the Place named in such Warrant; and the Assessment shall be fairly written in a Book, and shall specify, in different Columns, the Names of the respective Inhabitants or Occupiers of all Messuages, Lands, Tenements, and Hereditaments, the full and fair annual Value of the same, and the Amount of Rate charged on the Inhabitants or Occupiers thereof, and when the Premises are unoccupied, the full and fair annual Value thereof to let; and every such Assessor shall be allowed for his Trouble and Expenses such Remuneration as the said Board may think fit; and the same shall be paid out of the Amount of the Rate which shall be collected after such Assessment; and the said Rate to be levied as aforesaid shall, for the Purposes of the Provisions of this Act relating to Exemption from and Reduction or Allowance in respect of Sewers Rate, and relating to Deduction and Repayment of Sums paid on account of Sewers Rate, be deemed a Sewers Rate.

Mode of making the Assessment.

Allowance to Assessors.

CLXXVI. Pro-

Places in Schedule (C.) not now under rating for Sewers not to be rated except for intercepting Sewers.

CLXXVI. Provided always, That the Places mentioned in Schedule (C.) to this Act which are not now under rating for Sewers shall not be liable to be rated under this Act, except for the Purpose of their contributing to the Expense of carrying into effect any Plan for preventing the Sewage of the Metropolis from flowing into the River *Thames* in or near the Metropolis, so far as such Places respectively shall be benefited.

When Assessment is made, Notice thereof to be given, and all Persons included in the Assessment to have Liberty to inspect it, &c.

Penalty for refusing Inspection.

CLXXVII. When such Assessment has been allowed by the said Board, public Notice of such Assessment, and of the Place where the same may be inspected, shall be given by fixing such Notice on the Door of the Church or Chapel or some other conspicuous Part of the Place to which such Assessment relates, upon the *Sunday* next or next but one after the same has been so allowed; and any Person in whose Custody such Assessment may be shall permit every Inhabitant or Owner or Occupier of Property included in such Assessment to inspect the same, and to make any Extracts therefrom, without Payment of any Fee or Reward; and if such Person wilfully neglect or refuse to permit any such Inhabitant, Owner, or Occupier to inspect such Assessment or to make any Extract therefrom, he shall, on Conviction thereof before any Two Justices of the Peace, forfeit for every such Offence such Sum, not exceeding Five Pounds, as the Justices think meet.

As to the Collection of the Rate charged in such Assessment.

CLXXVIII. The said Board shall from Time to Time nominate One or more Person or Persons for levying the Amount of Rate charged in every such Assessment, who shall proceed in the same Manner, and shall have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Rate, as if he or they were an Overseer or Overseers of the Poor in a Place rated to the Relief of the Poor, and shall pay over the Amount of such Rate to the Treasurer of the said Board or otherwise as the said Board may direct, or in default thereof shall be proceeded against in the same Manner as Overseers are by this Act to be proceeded against for Nonpayment.

Appeal against Assessment.

CLXXIX. Provided always, That if any Person who has paid the Amount of Rate charged upon him by the Assessment made by an Assessor appointed under this Act think himself aggrieved by such Assessment, on the Ground that such Assessment includes Property for which he is not rateable under this Act, or that it assesses his rateable Property beyond its full and fair annual Value, or that any Person is omitted out of such Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Person so aggrieved may appear to the next Court of General or Quarter Sessions for the County or Franchise in which the Cause of Appeal arises, not less than Twenty-one Days after public Notice of such Assessment has been

been given as herein-before mentioned; provided that the Person so intending to appeal shall give to the said Board a Notice in Writing of such Appeal, and of the Cause and Matter thereof, Ten clear Days at the least before such Sessions, and shall also, within Three Days after his Notice of Appeal, enter into a Recognizance before some Justice of the Peace of the County or Franchise, with Two sufficient Sureties, conditioned to try such Appeal at the said Sessions, and to abide the Order of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and in case such Person appeal on the Ground that any Person is omitted out of the Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Party so appealing shall not only give such Notice of Appeal to the said Board, and enter into such Recognizance as aforesaid, but shall also give a like Notice of Appeal to the Person so interested in the event of such Appeal as aforesaid; and the Person so interested shall, if he desire it, be heard upon the Appeal; and the Justices of the Peace at such Sessions or some Adjournment thereof, upon due Proof of the Notice having been given, and of the Recognizance having been entered into as aforesaid, shall hear and determine the Matter of the Appeal in a summary Manner, and shall make such Order therein, with or without Costs to either Party, as the said Justices think proper; and in case the said Justices think the Appellant entitled to Relief, they shall order the Assessment to be amended in such Manner as may be necessary for giving him Relief, and shall also order any Money paid by him which he was not liable to pay to be returned to him; and in case he have appealed on the Ground that any Person is omitted out of the Assessment, the said Justices may order the Name of such Person to be inserted in the Assessment, and to be therein rated at such Amount as they deem just; and in case the Appellant have appealed on the Ground that the Property of any Person is assessed below its full and fair annual Value, the said Justices may order the Amount at which such Person is rated in the Assessment to be altered in such Manner as they deem just; and the proper Officer of the Court shall in each of the Cases aforesaid forthwith amend the Assessment accordingly, but the Assessment shall not be quashed or altered with respect to any other Persons named therein; and the Determination of the Justices at any such Sessions or Adjournment shall be final and conclusive.

The Assessment may be altered to relieve the Appellant, without altering any other Part of it.

Provisions for discharging existing Liabilities of Boards or Bodies having Powers of paving, &c., and of the Metropolitan Commissioners of Sewers.

CLXXX. All Debts and Liabilities legally charged upon or payable out of any Rates or Assessments authorized to be levied or made under

Provision for discharging existing Liabilities

under Local Acts relating to paving, &c.

under any Act relating to the paving, lighting, watering, cleansing, or improving of any Parish in either of the Schedules (A.) and (B.) to this Act, or any Part of any such Parish, shall be charged upon the Rates (other than those to be raised for defraying Expenses of Sewerage, and (where separate Rates are made under this Act for defraying Expenses of lighting) Expenses of lighting,) to be raised under this Act in such Parish or Part, and the several District Boards and Vestries shall cause the Sums necessary for discharging such Debts and Liabilities to be raised in their respective Districts and Parishes accordingly; and such Boards and Vestries shall once in every Year set aside, out of the Rates charged under this Act with such Debts and Liabilities, such Sum as they think proper, not being less than such Per-centage as herein-after mentioned; that is to say, Three Pounds *per Centum* where the Amount of Principal Debt (exclusive of Annuities) does not exceed One Fourth of the rateable Value of the Property rateable for Payment thereof, and in other Cases Two Pounds *per Centum* on the Amount of the Principal Debt (exclusive of Annuities), for the Purpose of paying off such Principal, except where the Interest only of such Debt is charged upon such Rates or Assessments as aforesaid, and except also where any such Debt was contracted under the Authority of a Local Act, and the Local Act did not require that the Principal of such Debt should be paid off within a limited Time; and the Sums so from Time to Time set aside, and all Monies applied in augmentation thereof, and the Proceeds thereof respectively, shall be applied and dealt with, for the Purpose of paying off such Principal as aforesaid, in manner by this Act provided with respect to Sums set aside for the Purpose of providing a Fund for paying off Mortgages granted under this Act: Provided always, that where any Debts or Liabilities are charged on any Rates or Assessments not wholly levied or made in or upon any One Parish mentioned in Schedule (A.) to this Act, or any One District mentioned in Schedule (B.) to this Act, the Metropolitan Board of Works shall apportion such Debts and Liabilities between the respective Parishes and Districts in or upon which such Rates or Assessments are authorized to be levied or made, and shall certify to the District Board and Vestry respectively of every such District and Parish the Amount of the apportioned Part of such Debts and Liabilities to be discharged by Rates to be raised in such Parish or District, or any Part thereof, under this Act, and such apportioned Part shall be discharged accordingly: Provided also, that nothing in this Enactment shall affect the Right of any Creditor to require Payment of any such Debt as aforesaid within any less Time than is prescribed by this Enactment for the Payment thereof.

CLXXXI. Not-

Provision for Payment of Liabilities of Metropolitan Commissioners of Sewers.

CLXXXI. Notwithstanding the Determination or Expiration of the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, all Mortgages, Annuities, Securities, and other Debts and Liabilities which at or immediately before such Determination or Expiration may be a Charge on or payable out of all or any of the Rates authorized to be levied thereunder shall continue in full Force, and be a Charge on the Districts or Parts in which such Rates would have been authorized to be levied in case such Act had continued in force, and all Persons who may be entitled to any such Mortgages, Annuities, or Debts shall have Priority in respect of all Monies advanced before the passing of this Act over any Monies advanced to the Metropolitan Board of Works under this Act, and shall have the like Priority among themselves as they are now entitled to under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, or any Act continuing or amending the same; and the Sums from Time to Time becoming payable under or required for Payment of the said Mortgages, Annuities, Securities, Debts, and Liabilities shall be raised by the Metropolitan Board of Works in such Districts or Parts in like Manner as the Expenses of such Board in the Execution of this Act; and in case any such District or Part be wholly or in part without the Limits of the Metropolis, as defined by this Act, the said Metropolitan Board shall from Time to Time issue Precepts under their Seal to the Overseers of the Parish or Parishes in which any Part without such Limits is comprised, requiring Payment to the Treasurer of the said Board or into any Bank in such Precepts respectively mentioned, within such respective Times as may be therein limited, of such Sums as it may be necessary to raise in such Part for the Purposes aforesaid; and the Provisions herein contained respecting the levying and Payment of Money by Overseers in pursuance of any Order of a Vestry or District Board shall be applicable, *mutatis mutandis*, to and for the levying and Payment of Money by Overseers in pursuance of any such Precept as aforesaid of the said Metropolitan Board; and the said Board shall once in every Year set aside such Sum as they think proper, not being less than Two Pounds *per Centum* on the Amount of all Principal Monies (exclusive of Annuities) becoming payable by them under this Enactment, for the Purpose of paying off all such Principal Monies; and the Sums so from Time to Time set aside, and all Monies applied in augmentation thereof, and the Proceeds thereof respectively, shall be applied and dealt with, for the Purpose of paying off such Principal Monies as aforesaid, in manner by this Act provided with respect to Sums set aside for the Purpose of providing a Fund for paying off Mortgages granted under this Act, and the Sums to be so set aside shall be raised by such Board in manner aforesaid.

CLXXXII. Where

Where Metropolitan Commissioners of Sewers have incurred Expenses, to be paid by Improvement Rates, &c. the Metropolitan Board may levy such Rates as remain due.

CLXXXII. Where the Metropolitan Commissioners of Sewers have incurred any Expenses authorized by the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, to be paid by an Improvement Rate, or as Charges for Default, it shall be lawful for the Metropolitan Board of Works to levy Improvement Rates or Charges for Default for the Recovery of the whole of such Expenses, or such Portion thereof as shall still remain due and unpaid, in the Manner directed by the said Act, and the said Board shall have all the Rights and Remedies for the Recovery thereof which are now vested in the Metropolitan Commissioners of Sewers in this Behalf.

General Powers to Metropolitan and District Boards and Vestries to borrow.

Power to Boards and Vestries to borrow Money on Mortgage.

CLXXXIII. It shall be lawful for the Metropolitan Board and every District Board and Vestry, for the Purposes of defraying any Expenses incurred or to be incurred by them in the Execution of this Act, to borrow and take up at Interest, on the Credit of all or any of the Monies or Rates authorized to be raised by them under this Act, any Sums of Money necessary for defraying any such Expenses; and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as aforesaid, such Board or Vestry may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced the respective Monies or Rates upon the Credit of which such Sums are borrowed; and the respective Mortgagees shall be entitled to a Proportion of the Monies or Rates comprised in their respective Mortgages, according to the Sums in such Mortgages mentioned to have been advanced; and each Mortgagee shall be entitled to be repaid the Sums so advanced, with Interest, without any Preference over any other Mortgagee or Mortgagees by reason of any Priority of Advance or the Date of his Mortgage: Provided always, that no Monies shall be so borrowed by any District Board or Vestry without the previous Sanction in Writing of the said Metropolitan Board.

No Priority amongst Mortgagees.

Power to Commissioners acting under 14 & 15 Vict. c. 23. to make Advances.

CLXXXIV. It shall be lawful for the Commissioners acting in the Execution of an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Twenty-three, "to "authorize for a further Period the Advance of Money out of the "Consolidated Fund to a limited Amount for carrying on Public "Works and Fisheries and Employment of the Poor," and any Act or Acts for amending or continuing the same, to make Advances to any such Board or Vestry upon the Security of all or any of the Monies or Rates to be raised by them under this Act, and without requiring any further or other Security than a Mortgage of such Monies or Rates.

CLXXXV. Every

CLXXXV. Every Mortgage authorized to be made under this Act shall be by Deed duly stamped, truly stating the Date, Consideration, and the Time of Payment, and shall be sealed with the Seal of the Board or Vestry, and may be made according to the Form (E.) contained in the Schedule to this Act annexed, or to the like Effect, or with such Variations or Additions in each Case as the Board or Vestry and the Party advancing the Money intended to be thereby secured may agree to; and there shall be kept at the Office of the Board or Vestry a Register of the Mortgages made by them, and within Fourteen Days after the Date of any Mortgage an Entry shall be made in the Register of the Number and Date thereof, and of the Names and Descriptions of the Parties thereto, as stated in the Deed; and every such Register shall be open to public Inspection during Office Hours at the said Office, without Fee or Reward; and any Clerk or other Person having the Custody of the same, refusing to allow such Inspection, shall be liable to a Penalty not exceeding Five Pounds.

Form of Mortgage.

Register of Mortgages.

CLXXXVI. The Board or Vestry making any such Mortgage may, if they think proper, fix a Time or Times for the Repayment of all or any Principal Monies borrowed under this Act, and the Payment of the Interest thereof respectively, and may provide for the Repayment of such Monies, with Interest, by Instalments or otherwise, as they may think fit; and in case the Board or Vestry fix the Time or Times of Repayment they shall cause such Time or Times to be inserted in the Mortgage Deed; and at the Time or Times so fixed for Payment thereof such Principal Monies and Interest respectively shall, on Demand, be paid to the Party entitled to receive the same accordingly; and if no other Place of Payment be inserted in the Mortgage Deed, the Principal and Interest shall be payable at the principal Office of the Board or Vestry, and, unless otherwise provided by any Mortgage, the Interest of the Money borrowed thereupon shall be paid halfyearly; and if no Time be fixed in the Mortgage Deed for the Repayment of the Money so borrowed, the Party entitled to receive such Money may, at the Expiration or at any Time after the Expiration of Twelve Months from the Date of such Deed, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and in the like Case the Board or Vestry may at any Time pay off the Money borrowed, on giving the like Notice; and every such Notice shall be in Writing or Print, or both, and if given by a Mortgagee shall be given in manner herein provided for Service of Notices on the Board or Vestry, and if given by the Board or Vestry shall be given either personally to such Mortgagee or left at his Residence, or if such Mortgagee or his Residence be unknown to them,

Repayment of Money borrowed at a Time agreed upon.

Interest on Mortgages to be paid halfyearly.

As to Repayment of Money borrowed when no Time has been agreed upon.

Interest to cease on Expiration of Notice to pay off a Mortgage Debt.

them, or cannot be found after diligent Inquiry, such Notice shall be given by Advertisement in the *London Gazette*; and if the Board or Vestry have given Notice of their Intention to pay off any such Mortgage at a Time when the same may lawfully be paid off by them, then at the Expiration of such Notice all further Interest shall cease to be payable thereon, unless, on Demand of Payment made pursuant to such Notice, or at any Time thereafter, the Board or Vestry fail to pay the Principal and Interest due at the Expiration of such Notice on such Mortgage.

Power to borrow to pay off existing Securities.

CLXXXVII. It shall be lawful for the said Metropolitan Board, with respect to any Security granted by the Metropolitan Commissioners of Sewers, or granted by such Board under this Act, and for every District Board and Vestry, with respect to any Security for any existing Debt or Liability which such Board or Vestry are by this Act required to discharge, and any Security granted by such Board or Vestry under this Act, to raise and borrow the Monies necessary for paying off such Security, and to pay off the same; and the Monies borrowed for the Purpose of such Payment shall be secured and repaid in like Manner as if borrowed for defraying the Expenses of the Execution of this Act: Provided always, that nothing herein contained shall extend to authorize the paying off of any Security otherwise than in accordance with the Provisions thereof.

Payment of Principal and Interest may be enforced by the Appointment of a Receiver.

CLXXXVIII. If at the Expiration of Six Months from the Time when any Principal Money or Interest has become due upon any Mortgage made under this Act, or under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, or any Act continuing or amending the same, and after Demand in Writing, the same be not paid, the Mortgagee may, without Prejudice to any other Mode of Recovery, apply for the Appointment of a Receiver to Two Justices, who are hereby empowered, after hearing the Parties, to appoint, in Writing under their Hands and Seals, some Person to collect and receive the whole or a competent Part of the Monies or Rates liable to the Payment of the Principal or Interest in respect of which the Application is made, until such Principal or Interest, or both, as the Case may be, together with the Costs of the Application and the Costs of Collection, are fully paid; and upon such Appointment being made all such Monies or Rates, or such competent Part thereof as aforesaid, shall be paid to the Person appointed, and when so paid shall be so much Money received by or to the Use of the Mortgagee or Mortgagees, and shall be rateably apportioned between or among them, but subject and without Prejudice to such Rights of Priority, if any, as shall then be subsisting between the Mortgagees or any of them: Provided always, that no Mortgagee shall

shall be prejudiced, either directly or indirectly, by any Loss which may be occasioned by the Misapplication or Nonapplication of any Monies or Rates received by any Receiver appointed otherwise than upon the Application or with the express Consent of such Mortgagee, or by any Act, Deed, Neglect, or Default on the Part of such Receiver, but such Loss shall be wholly borne by the Mortgagee or Mortgagees upon whose Application or with whose express Consent such Receiver was appointed: Provided also, that no such Application shall be entertained unless the Sum or Sums due and owing to the Applicant amount to One thousand Pounds, or unless a joint Application be made by Two or more Mortgagees to whom there may be due, after such Lapse of Time, and Demand, as last aforesaid, Monies collectively amounting to that Sum.

Transfer of Mortgages.

CLXXXIX. Any Mortgagee or other Person entitled to any Mortgage under this Act may transfer his Estate and Interest therein to any other Person by Deed duly stamped, truly stating its Date, the Names and Descriptions of the Parties thereto, and the Consideration for the Transfer; and such Transfer may be according to the Form contained in the Schedule (F.) to this Act annexed, or to the like Effect; and there shall be kept at the Office of every Board and Vestry making any Mortgages under this Act a Register of the Transfers of such Mortgages; and within Thirty Days after the Date of any such Deed of Transfer, if executed within the United Kingdom, or within Thirty Days after its Arrival in the United Kingdom if executed elsewhere, the same shall be produced to the Clerk of the Board or Vestry making the Mortgage; and such Clerk shall, upon Payment of the Sum of Five Shillings, cause an Entry to be made in such Register of its Date, and of the Names and Description of the Parties thereto, as stated in the Transfer; and upon any Transfer being so registered, the Transferee, his Executors, Administrators, or Assigns, shall be entitled to the full Benefit of the original Mortgage, and the Principal and Interest secured thereby; and every such Transferee may in like Manner transfer his Estate and Interest in any such Mortgage; and no Person, except the Person to whom the same has been last transferred, his Executors, Administrators, or Assigns, shall be entitled to release or discharge any such Mortgage, or any Money secured thereby.

Register of Transfers.

Sinking Fund to be formed for paying off Mortgages.

CXC. For the Purpose of providing a Fund for paying off Mortgages granted under this Act, the Board or Vestry granting such Mortgage shall once in every Year set aside, out of the Monies or Rates charged thereby, such Sum as they think proper, being not less than Two Pounds *per Centum* on the Amount of the Principal Monies secured thereby; and the Sum so from Time to Time set aside, and all other Monies applied by the Board or Vestry in augmentation

mentation of the said Fund, shall be applied, in the Manner hereinafter directed, in Payment, so far as the same will extend, of the Principal Money secured by such Mortgages, or the same shall be invested in the Public Funds, or on Government or Real Security, in the Name of the Board or Vestry; and the Dividends and Interest of the Monies so invested, when and as the same become due, shall from Time to Time be received and invested in like Manner, in order that the said Monies so set aside and invested may accumulate at Compound Interest; and when such accumulated Fund amounts to a Sum which, in the Opinion of the Board or Vestry, can be conveniently applied for that Purpose, the Stocks, Funds, or Securities whereon the same is invested shall be sold or otherwise converted into Money, and the Monies arising from any such Sale and Conversion shall be applied, in the Manner herein-after directed, in Payment, so far as the same will extend, of the said Principal Monies, and so from Time to Time until the whole of the said Principal Monies are discharged.

Mode of paying off Mortgages.

CXCI. When and as often as the Board or Vestry are enabled and think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in a similar Form, and put in a Box, and the Clerk of the said Board or Vestry shall, at a Meeting of the Board or Vestry, draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn shall be paid off by the Board or Vestry; and after every such Ballot the Board or Vestry shall cause a Notice, signed by the Clerk, to be given to the Person entitled to the Money to be paid off, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on Demand, pursuant to such Notice; but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable, on Demand.

Audit of Accounts.

Accounts of Metropolitan Board, District Boards, and Vestries to be balanced up to the End of each Year.

CXCII. The Metropolitan Board of Works, every District Board, and the Vestry of every Parish mentioned in either of the Schedules (A.) and (B.) to this Act, shall, in the Month of *April* in every Year, cause their Accounts to be balanced up to the Twenty-fifth Day of *March* next preceding, and shall cause a full Statement and Account to be drawn out of the Amount of all Contracts entered

entered into and of all Monies received and expended by them during the preceding Year, under the several distinct Heads of Receipt and Expenditure, and also of all Arrears of Rates and other Monies then owing to such respective Board or Vestry, and of all Mortgages and other Debts and Liabilities then owing by such Board or Vestry: Provided always, that where by reason of the Time established by or under any Local Act for making and collecting Rates in any Parish the Time hereby fixed for making up the Accounts is inconvenient, it shall be lawful for the Metropolitan Board of Works to order that the Time of making and collecting such Rates, and the Period for which any such Rate may be made, shall be altered as to the said Board may appear convenient.

Auditor of Accounts of Metropolitan Board to be appointed by Secretary of State, and remunerated by the Board.

CXCIII. One of Her Majesty's Principal Secretaries of State shall, in the Month of *April* in every Year, by Order under his Hand, appoint some fit Person to be the Auditor of the Accounts of the said Metropolitan Board for the preceding Year; and every such Auditor shall be paid by such Board not exceeding Five Guineas for every Day he is fully employed on such Audit, and all Expenses he is put to in the auditing of such Accounts; provided always, that such Payment shall not exceed Fifty Guineas.

Auditors to be elected annually by the District Boards.

CXCIV. Every District Board shall, in the Month of *April* in every Year, elect by Ballot from among the Persons acting as Auditors for the Parishes in the District Three Persons, not being Members of such Board, to be Auditors for the current Year of the Accounts of such Board; and in case of the Death of any such Auditor the Board by whom he was elected shall forthwith elect in a similar Manner some other such Person as aforesaid in his Place, and the Powers hereby given to the said Auditors may be exercised by any Two of them.

As to the Audit of Accounts.

CXCV. The Auditor of the Accounts of the said Metropolitan Board, and the Auditors of the Accounts of every District Board and every such Vestry as aforesaid, shall, in the Month of *May*, on such Day or Days as shall be fixed by him or them for the Audit of such respective Accounts, attend at the Office or principal Office of the Metropolitan Board of Works, or of such District Board or Vestry, (as the Case may require,) for the Purpose of auditing their Accounts; and such respective Boards and every such Vestry shall, by their Clerks, Treasurers, and other Officers, produce and lay before such Auditor or Auditors at every such Audit their Accounts for the Year preceding, together with the Statement and Account herein-before mentioned, accompanied by proper Vouchers for the Support of the same, and submit to his or their Inspection all Books, Papers, Instruments, and Writings in their Custody or Control relating thereto;

thereto; and such Auditor or Auditors, in the Presence of such of the Members of such respective Boards or Vestries and of the Ratepayers and Creditors on the Rates as desire to attend, shall audit the Accounts herein-before mentioned, and may examine any of the Members of such respective Boards or Vestries or their Officers whom he or they shall deem accountable (and whom he and they is and are hereby empowered to summon, by Writing under his or their Hand or Hands, or under the Hand of any One of them, to appear before him or them for the Purpose of such Examination,) touching the said Accounts, and shall also hear any Complaint which any such Ratepayer or Creditor shall at the Time of such Audit make touching such Accounts; and such Auditor or Auditors shall have full Power to examine, audit, allow, and disallow the said Accounts and Items therein, and shall charge in such Accounts all Sums (if any) which ought to be accounted for, and are not brought into account; and if such Accounts be found correct, such Auditor or Auditors, or the major Part of them, shall sign the same in token of his or their Allowance thereof, and such Allowance shall be final and conclusive on all Parties.

Abstract of Accounts to be made.

CXCVI. The Auditor or Auditors of the Accounts of the Metropolitan Board of Works, and of every District Board and Vestry, shall, after such Audit of Accounts as aforesaid, cause an Account in abstract to be prepared, showing the Receipt and Expenditure under this Act for the preceding Year, under the several distinct Heads of Receipt and Expenditure, with the Statement of the Allowance of the Auditor or Auditors, if he or they has or have allowed such Accounts, or of the Parts, if any, which he or they have disallowed of such Accounts, and also a summary Statement of all Contracts entered into by such Board or Vestry in such preceding Year, and of the Monies owing to and Debts and Liabilities owing by such Board or Vestry on the Twenty-fifth Day of *March* next preceding.

Accounts of other Parochial Boards to be audited by the Auditors elected under this Act.

CXCVII. In all Parishes mentioned in the Schedules (A.) and (B.) to this Act, in which other Boards have Control over any Part of the Parochial Expenditure, the Auditors of Accounts of the Parish elected under this Act shall have the same Power of examining the Accounts and Officers of the said Boards as of examining the Accounts and Officers of the Vestry, and shall audit the Accounts of the said Boards in the same Manner as they audit the Accounts of the Vestry, and the Accounts of the said Boards shall not be subject to any other Audit: Provided always, that nothing herein contained shall apply to Accounts which if this Act had not been passed would have been subject to the Audit of any Auditor already or hereafter appointed under the Authority of the Act of the Session holden in the Fourth and Fifth

Fifth Years of King *William* the Fourth, Chapter Seventy-six, or any Act incorporated therewith.

Annual Reports.

CXCVIII. Every such Vestry as aforesaid and District Board shall in the Month of *June* in every Year cause to be printed the said Account in abstract and summary Statement for the preceding Year, relating to such Vestry or Board, and also make and cause to be printed therewith a Report of their Proceedings in the Execution of this Act, and of the Works commenced and completed respectively in the preceding Year by such Vestry or Board, and the Works remaining in progress at the Termination of such Year, and also of any Proceedings taken by them or under their Authority in the preceding Year, in pursuance of any Regulations of the General Board of Health for the Time being in force, or otherwise, for the Removal of Nuisances or the Improvement of the Sanitary Condition of their Parish or District; and to every such Report there shall be appended a Copy of every Report made to such Vestry or Board during the preceding Year by the Officer or Officers of Health for their Parish or District; and every such Vestry and Board shall in the said Month of *June* send a Copy of every such Account in abstract, Statement, and Report, together with a printed List of the Names and Addresses of the Members of such Vestry and Board, and of their Officers, to the Metropolitan Board of Works; and every Vestry and District Board shall permit Inspection at their Office of a Copy of any such Account in abstract, Statement, and Report by any Ratepayer in their Parish or District, without Payment, at all reasonable Times, and shall also permit the like Inspection by the Public generally of such List of Officers; and Copies of such Account in abstract, Statement, and Report, and List of Officers, shall be delivered to any Person applying for the same, on Payment of such reasonable Sums, not exceeding Twopence for each such Copy, as may be fixed by such Vestry or Board in this Behalf.

Annual Reports by Vestries and District Boards.

CXCIX. Every such Vestry as aforesaid shall cause to be made out once at least in every Year a List of the several Freehold, Copyhold, and Leasehold Estates, and of all Charitable Foundations and Bequests, if any, belonging to the Parish, and under the Control of the Vestry, the List to contain a true and detailed Account of the Place where such Estate or Charitable Foundation may be situate, or in what Mode and Security such Bequest may be invested, specifying also the yearly Rental of each, and the particular Appropriation thereof, together with the Names of the Persons partaking of their Benefit (except where such Benefit shall be allotted to the Poor of the Parish generally), and to what Amount in each Case, and also stating

Vestry to make out and publish yearly a List of Estates, Charities, and Bequests, &c. with the Application thereof.

stating the Name and Description of the Persons in whom such Estates are vested, and the Names and Description of the Trustees for each Charity; and such Lists shall be open for the Inspection of the Ratepayers at the Office of the Vestry Clerk at the same Time with the Accounts when audited according to the Provisions of this Act.

Annual Report of Metropolitan Board of Works.

CC. The Metropolitan Board of Works shall, in the Month of *June* in every Year, make a Report of their Proceedings in the Execution of this Act, and shall in the said Month send a Copy thereof, together with a Copy of the said Account in abstract and summary Statement for the preceding Year relating to such Board, to One of Her Majesty's Principal Secretaries of State, to the Commissioners of Her Majesty's Works and Public Buildings, to the General Board of Health, to the Lord Mayor of the City of *London*, and to each of the Vestries and District Boards in the other Parts of the Metropolis.

Reports, &c. of Metropolitan Board to be laid before Parliament.

CCI. Every such Report, Account in abstract, and Statement to be sent to One of Her Majesty's Principal Secretaries of State as aforesaid shall be laid before both Houses of Parliament within One Month after the Receipt thereof if Parliament be sitting, or if Parliament be not sitting, then within One Month after the next Meeting of Parliament.

Byelaws.

Power to Metropolitan Board of Works to make Byelaws.

CCII. The Metropolitan Board of Works and every District Board and Vestry respectively may from Time to Time make, alter, and repeal Byelaws for all or any of the Purposes following; (that is to say,) for regulating the Business and Proceedings at their Meetings and of Committees appointed by them, the Appointment and Removal of their Officers and Servants, and the Duties, Conduct, and Remuneration of such Officers and Servants; and the said Metropolitan Board may also from Time to Time make, alter, and repeal Byelaws for regulating the Plans, Level, Width, Surface Inclination, and the Material of the Pavement and Roadway of new Streets and Roads, and the Plans and Level of Sites for building, and for regulating the Dimensions, Form, and Mode of Construction, and the keeping, cleansing, and repairing, of the Pipes, Drains, and other Means of communicating with Sewers, and the Traps and Apparatus connected therewith; for the emptying, cleansing, closing, and filling up of Cesspools and Privies; and for other Works of cleansing, and of removing and disposing of Refuse, and for regulating the Form of Appeal and Mode of proceeding thereon; and generally for carrying into effect the Purposes of this Act; and every such Board and Vestry may thereby impose such reasonable Penalties as they think fit, not exceeding Forty Shillings, for each Breach of such Byelaws,

Penalty for Breach of Byelaws.

Byelaws, and in case of a continuing Offence a further Penalty not exceeding Twenty Shillings for each Day after Notice of the Offence from the Board or Vestry: Provided always, that under every such Byelaw it shall be lawful for the Justices before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid, or to remit the whole Penalty: Provided also, that no Byelaws shall be repugnant to the Laws of *England* or to the Provisions of this Act; and that no Byelaw shall be of any Force or Effect unless and until the same be submitted to and confirmed at a subsequent Meeting of the Board or Vestry: Provided also, that no Penalty shall be imposed by any such Byelaw unless the same be approved by One of Her Majesty's Principal Secretaries of State.

Power to Justices to remit Penalties.

CCIII. All Byelaws made and confirmed as aforesaid in pursuance of this Act shall be printed, and hung up in the principal Office of the Board or Vestry, and be open to public Inspection without Payment, and Copies thereof shall be delivered to any Person applying for the same, on Payment of such Sum, not exceeding Twopence, as the Board or Vestry shall direct; and such Byelaws, when so published, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same; and the Production of a printed Copy of such Byelaws, authenticated by the Seal of the Board or Vestry, shall be Evidence of the Existence, and of the due making, Confirmation, and Publication of such Byelaws, in all Prosecutions under the same, without adducing Proof of such Seal or of the Fact of such Confirmation or Publication of such Byelaws.

Publication of Byelaws.

Evidence of Byelaws.

Provisions for Protection of Property and Works of Metropolitan and District Boards and Vestries, and preventing Obstruction in Execution of Works.

CCIV. No Building shall be erected in, over, or under any Sewer vested in the Metropolitan Board of Works, or in any Vestry or District Board, without their Consent first obtained in Writing, and if any Building be erected contrary to this Provision the Board or Vestry in whom such Sewer is vested may demolish the same, and the Expenses incurred thereby shall be paid by the Person erecting such Building.

Buildings not to be made over Sewers without Consent.

CCV. No Scavenger or other Person shall sweep, rake, or place any Soil, Rubbish, or Filth, or any other Thing, into or in any Sewer or Drain, or over any Grate communicating with any Sewer or Drain, or into any Dock or Inlet communicating with the Mouth of any Sewer or Drain, or into which any Sewer or Drain may discharge its

Penalty on Persons sweeping Dirt into Sewers.

Contents, or into the River *Thames* contiguous thereto; and every Scavenger or other Person who shall so offend shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for wilfully damaging, &c. Lamps or other Property of Vestries or District Boards, or of the Metropolitan Board.

CCVI. If any Person wilfully take away, break, throw down, or damage any Lamp set up for lighting any of the Streets in any Parish mentioned in either of the Schedules (A) and (B.) to this Act, or wilfully extinguish the Light within the same, or damage the Iron or other Furniture thereof, or wilfully damage any other Property vested in any Vestry or District Board, or any Property vested in the said Metropolitan Board, it shall be lawful for any Person who sees such Offence committed to seize, as also for any other Person to assist in seizing, the Offender, and by Authority of this Act, and without any other Warrant, to convey him, or to deliver him into the Custody of a Police Officer in order to be secured and conveyed, before some Justice; and if the Party accused be convicted of such Offence he shall forfeit the Sum of Forty Shillings, and shall also pay to such Vestry or Board the Amount of Damage done.

Persons carelessly or accidentally damaging Lamps, &c. to make Satisfaction.

CCVII. In case any Person carelessly or accidentally break, throw down, or damage any such Lamp, or the Iron or other Furniture thereof, or other such Property as aforesaid, he shall pay the Amount of Damage done.

Penalty on interrupting Workmen, &c. in Execution of Duties.

CCVIII. If any Person at any Time obstruct, hinder, or molest any Surveyor, Inspector, Collector, or other Officer, Workman, or Person whomsoever, employed by virtue of this Act, in the Performance or Execution of his Duty, every such Person so offending shall for the First Offence forfeit and pay the Sum of Five Shillings, for the Second Offence the Sum of Twenty Shillings, and for any subsequent Offence the Sum of Five Pounds.

Penalty upon Occupiers obstructing Execution of Works, or not disclosing Owner's Name.

CCIX. If the Occupier of any Premises prevent the Owner thereof from carrying into effect, with respect to such Premises, any of the Provisions of this Act, or any Order of any Vestry or District Board made in pursuance thereof, he shall be liable to a Penalty not exceeding Five Pounds for every Day during the Continuance of such Refusal or Neglect; and if the Occupier of any Premises, when requested by or on behalf of the Vestry or District Board to state the Name and Description of the Owner of the Premises occupied by him, refuse or wilfully omit to disclose or wilfully mis-state the same, it shall be lawful for any Justice to summon the Party to appear before him or some other Justice at a Time and Place to be appointed in such Summons; and if the Party so summoned neglect or refuse to attend at the Time and Place so appointed, or if he do not show

good

good Cause for such Refusal, or if such wilful Omission or Misstatement be proved, the Justice before whom the Party is so summoned may impose upon the Offender a Penalty not exceeding Five Pounds.

Savings and Provisions in Local Acts applicable to Commissioners of Sewers to apply to Metropolitan and District Boards and Vestries.

CCX. All Savings and Provisions in Turnpike, Railway, Waterworks, Improvement, and other Acts, saving and providing for the Rights, Powers, and Authorities of the Commissioners of Sewers for any of the Parts which shall be within the Metropolis as defined by this Act, shall, so far as the same are not inconsistent with the Provisions of this Act, continue and be in force in favour of and with reference to the Metropolitan Board of Works and the several District Boards of Works and Vestries having the Management of Sewers under this Act, and in favour of the Commissioners of Sewers of the City of *London*, so far as such Savings and Provisions respectively are now applicable to them, or to any Officer or Person so continued by the said Board.

Appeals.

Power to appeal against Orders and Acts of Vestries and District Boards in relation to Construction of Works.

CCXI. Any Person who deems himself aggrieved by any Order of any Vestry or District Board in relation to the Level of any Building, or any Order or Act of any Vestry or District Board in relation to the Construction, Repair, Alteration, stopping or filling up, or Demolition of any Building, Sewer, Drain, Watercloset, Privy, Ashpit, or Cesspool, may, within Seven Days after Notice of any such Order to the Occupier of the Premises affected thereby, or after such Act, appeal to the Metropolitan Board of Works against the same; and all such Appeals shall stand referred to the Committee appointed by such Board for hearing Appeals as herein provided; and such Committee shall hear and determine all such Appeals, and may order any Costs of such Appeals to be paid to or by the Vestry or District Board by or to the Party appealing, and may, where they see fit, award any Compensation in respect of any Act done by any such Vestry or District Board in relation to the Matters aforesaid; provided that no such Compensation shall be awarded in respect of any such Act which may have been done under any of the Provisions of this Act on any Default to comply with any such Order as aforesaid, unless the Appeal be lodged within Seven Days after Notice of such Order has been given to the Occupier of the Premises to which the same relates.

Metropolitan Board to appoint a Committee for hearing Appeals.

CCXII. The Metropolitan Board of Works shall appoint a Committee for the Purpose of hearing all such Appeals as may be made to the said Board as aforesaid, which Committee shall have Power to hear and decide all such Appeals, and the Metropolitan Board of Works shall from Time to Time fill up any Vacancy in such Committee, and the Chairman of the said Board shall, by virtue of his Office of Chairman,

man, be a Member of the said Committee in addition to the Members appointed by the said Board, and shall preside at all Meetings of such Committee at which he is present; and in case of a Vacancy in the Office of such Chairman, or, in his Absence, some other Member of the Committee shall be chosen to preside, and all the Powers of such Committee may be exercised by any Three of them, and any Member of such Committee may at any Time resign his Office.

Retiring Allowances to Officers of Commissioners of Sewers, and Compensations to other Officers.

Power to grant Retiring Allowances to Persons employed under Metropolitan Commissioners of Sewers.

CCXIII. The Metropolitan Board of Works may, if they deem it just, order the Payment of Retiring Pensions or Allowances, of such Amounts and upon such Terms as they deem just, to any Officers or Persons who have been employed under the Metropolitan Commissioners of Sewers, and who shall not continue to be employed by the Metropolitan Board of Works, or to any Officer or Person continued by the said Board, having regard in the Case of Persons who have been employed under any of the Commissions determined by the issuing of the First Commission under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, to their Employment under any of such Commissions, as well as under the said Metropolitan Commissioners of Sewers, and to pay such Pensions or Allowances out of such Monies raised by the said Metropolitan Board under this Act as to them may seem meet.

Compensation to Officers of Paving Boards.

CCXIV. Every Officer to any Commissioners, Vestry, or other Body whose Powers in relation to paving, lighting, watering, cleansing, or improving, or otherwise in relation to the Regulation, Government, or public Concerns of any of the Parishes mentioned in either of the Schedules (A.) and (B.) to this Act, or any Part of any of such Parishes, are determined by this Act, and any paid Surveyor of Highways of any of such Parishes, shall be entitled within Six Months after the Commencement of this Act to make a Claim for Compensation in respect of any Loss of Emoluments arising from the passing of this Act, such Claim to be made to the Vestry of the Parish in case the Office of the Claimant existed in any Parish mentioned in the said Schedule (A.), and in other Cases to the District Board of the District in which the Office existed; and it shall be lawful for such Vestry or Board respectively to inquire, in such Manner as they think fit, what were the Nature and Tenure of the Office and the Period for which the same has been holden by the Claimant, and what were the lawful Emoluments in respect of which Compensation should be awarded; and the Vestry or District Board shall award a gross or yearly Sum, and, in the Case of a yearly Sum, for such Time as they think just upon consideration of the special Circumstances

stances of each Case; but no such Award shall be final until confirmed by the Metropolitan Board of Works, and One Month before any such Award is taken into consideration by such Board Notice of such Award shall be given to the Party in whose Favour the same is made, and such Board shall take into consideration any Representations which may in the meantime be made to them by the Party in whose Favour the Award is made, and by the Vestry or District Board making the same, and such further Information or Representations in relation to the Matter of any such Award as the said Metropolitan Board may see fit to require or receive; and such Board may confirm such Award with or without any Alteration therein as to them may seem just; and any Person making any such Claim to Compensation whose Claim is rejected by any Vestry or District Board may, within One Month after Notice to him of the Rejection thereof, appeal against the Determination of such Vestry or District Board to the Metropolitan Board of Works, and such Board shall consider all the Circumstances of the Case, and may, if it appear to them just, award Compensation to the Claimant in like Manner as the Vestry or District Board are herein empowered to do; and the Determination or Award of the said Metropolitan Board in reference to such Claim shall be final; and all Compensation awarded as aforesaid shall be paid out of the general Rates to be levied under this Act in the Parish or particular Part of any Parish to which the Office in respect whereof the Compensation is awarded related, so as to charge such Parish or particular Part therewith in exoneration of other Parishes and Parts: Provided always, that if any Person to whom a yearly Sum is awarded by way of Compensation as aforesaid be appointed to any Office or Employment under the Vestry of any of the said Parishes, or under any District Board, or the Metropolitan Board of Works, or in the Public Service, the Payment of the Compensation so awarded shall be suspended so long as he continues to hold such Office or Employment if the Emoluments thereof be equal to or greater than the Amount of the Emoluments of the Office formerly held by him, and in case the Emoluments of the Office or Employment to which he is appointed be not equal in Amount to those of his former Office, then no more of such Compensation shall be paid to him than will, with the Salary of his new Appointment, be equal to the Emoluments of his former Office.

Miscellaneous Clauses.

CCXV. Where, under the Authority of this Act, Two or more Persons are or may be directed by any Vestry or District Board to do or join in doing any Act, or to pay or join in paying any Sum of Money, Costs, or Expenses, or where any Vestry or District Board are authorized or think proper to permit Two or more Persons

Where Two or more Persons are to do any Act or pay any Sum of Money, Vestry

to

or District Board may apportion the same.

to join together in doing any Act, or paying any Sum of Money, Costs, or Expenses, it shall be lawful for the Vestry or District Board to apportion the Matter to be done, or the Sum of Money, Costs, or Expenses to be paid, between such Persons, in such Manner as the Vestry or Board consider just and reasonable.

Power to Vestries and District Boards to spread Repayment of Expenses over a Period not exceeding Twenty Years.

CCXVI. In all Cases where any Vestry or District Board is authorized to order any Costs, Charges, or Expenses to be paid by private Parties it shall be lawful for such Vestry or District Board to order and accept Payment of such Costs, Charges, Expenses, together with Interest thereon after a Rate not exceeding Five Pounds for the Hundred by the Year, by Instalments, within such Period, not exceeding Twenty Years in each Case, as they may determine, the Amount thereof to be recoverable in the same Manner as other Expenses are to be recovered under this Act.

Occupiers to pay Expenses for which Owners are liable, and to be reimbursed out of the Rent.

CCXVII. It shall be lawful for any Vestry or District Board to require the Payment of any Costs or Expenses which the Owner of any Premises may be liable to pay under this Act from any Person who then or at any Time thereafter occupies such Premises; and the Owner shall allow every such Occupier to deduct all Sums of Money which he so pays, or which are levied by Distress, out of the Rent from Time to Time becoming due in respect of the said Premises, as if the same had been actually paid to such Owner as Part of such Rent.

Occupier not to be required to pay more than the Amount of Rent owing by him.

CCXVIII. Provided always, That no such Occupier shall be required to pay any further Sum than the Amount of Rent for the Time being due from him, or which, after such Demand of such Costs or Expenses from such Occupier, and after Notice not to pay his Landlord any Rent without first deducting the Amount of such Costs or Expenses, becomes payable by such Occupier, unless he refuse, on Application being made to him for that Purpose by or on behalf of the Vestry or District Board, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded from any such Occupier is greater than the Rent due by him at the Time of such Notice, or which has since accrued, shall lie upon such Occupier.

Agreements between Landlord and Tenant not to be affected.

CCXIX. Provided also, That nothing herein contained shall be taken to affect any Contract made or to be made between any Owner and Occupier of any House, Building, or other Property whereof it is or may be agreed that the Occupier shall pay and discharge all Rates, Dues, and Sums of Money payable in respect of such

such House, Building, or other Property, or to affect any Contract whatsoever between Landlord and Tenant.

CCXX. Any Summons or Notice, or any Writ or other Process at Law or in Equity, or any other Matter or Thing whatsoever, required to be served upon the Metropolitan Board of Works or any District Board or Vestry, may, unless herein otherwise provided, lawfully be served by delivering the same personally to the Clerk of such respective Board or Vestry, or by leaving the same at the principal Office of such Board or Vestry.

As to Service of Notices, &c. on Metropolitan and District Boards and Vestries.

CCXXI. All Notices by this Act required to be given to the Owner or Occupier of any Land or Premises, or other Person, may be served personally on such Owner, Occupier, or Person, or left with some Inmate of his Place of Abode, and any Notice required to be given to any such Owner or Occupier may, if there be no Occupier, be affixed to some conspicuous Part of the Land or Premises, and it shall not be necessary in any Notice to any Owner or Occupier of any Land or Premises to name such Owner or Occupier: Provided always, that where there is no Occupier, and the Owner of any such Land or Premises, and his Place of Abode or that of his Agent is known to the Vestry or Board by or on behalf of whom such Notice is given, or any of their Officers, such Notice shall be served on such Owner personally, or left with some Inmate of his Place of Abode, or transmitted to such Owner through the Post Office, addressed to him at his Place of Abode or last known Place of Abode in the United Kingdom, or served on his Agent as aforesaid.

As to Service of Notices on Owners and Occupiers and other Persons.

CCXXII. Every Notice, Demand, or like Document given by or on behalf of the Metropolitan Board of Works, or any Vestry or District Board, under this Act, may be in Writing or Print, or partly in Writing and partly in Print, and shall be sufficiently authenticated if signed by their Clerk or by the Officer by whom the same is given.

Authentication of Documents.

CCXXIII. If any Person against whom the Metropolitan Board of Works, or any District Board or Vestry, have any Claim or Demand, become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Clerk or Collector, in all Proceedings under the Bankruptcy or Insolvency, to represent such Board or Vestry, and act in their Behalf in all respects as if such Claim or Demand were the Claim or Demand of the Clerk or Collector, and not of such Board or Vestry.

Proof of Debts in Bankruptcy.

CCXXIV. If

Tender of Amends.

CCXXIV. If any Party have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or any Act incorporated therewith, or by virtue of any Power or Authority given by this Act or such other Act as aforesaid, and if before Action brought in respect thereof such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action.

Compensation, Damage, and Expenses how to be ascertained and recovered.

CCXXV. In every Case where the Amount of any Damage, Costs, or Expenses is by this Act directed to be ascertained or recovered in a summary Manner, or the Amount of any Damage, Costs, or Expenses is by this Act directed to be paid, and the Method of ascertaining the Amount or enforcing the Payment thereof is not provided for, such Amount shall, in case of Dispute, be ascertained and determined by and shall be recovered before Two Justices; and the Amount of any Compensation to be made under this Act by the said Metropolitan Board, or any Vestry or District Board, shall, unless herein otherwise provided, be settled, in case of Dispute, by and shall be recovered before Two Justices, unless the Amount of Compensation claimed exceed Fifty Pounds, in which Case the Amount thereof shall be settled by Arbitration, according to the Provisions contained in the Lands Clauses Consolidation Act, 1845, which are applicable where Questions of disputed Compensation are authorized or required to be settled by Arbitration.

Method of proceeding before Justices in Questions of Damages, &c.

CCXXVI. Where the Amount of any Compensation, or of any Damage, Costs, or Expenses, is to be determined by or to be recovered before Two Justices, it shall be lawful for any Justice, upon the Application of either Party, to summon the other Party to appear before Two Justices, at a Time and Place to be named in such Summons; and upon the Appearance of such Parties, or, in the Absence of either of them, upon Proof of due Service of the Summons, it shall be lawful for such Two Justices to hear and determine the Matter, and for that Purpose to examine such Parties, or any of them, and their Witnesses, on Oath, and make such Order, as well as to Costs as otherwise, as to them may seem just.

Penalties, &c. to be recovered as provided by 11 & 12 Vict. c. 43.

CCXXVII. Every Penalty or Forfeiture imposed by this Act, or by any Byelaw made in pursuance thereof, the Recovery of which is not otherwise provided for, may be recovered by summary Proceedings before any Justice in manner provided by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, "to facilitate the Performance of the Duties of Justices "of the Peace out of Sessions within *England* and *Wales* with "respect to summary Convictions and Orders."

CCXXVIII. If,

CCXXVIII. If, through any Act, Neglect, or Default on account whereof any Person has incurred any Penalty imposed by this Act, any Damage to the Property of the said Metropolitan Board, or any Vestry or District Board, has been committed by such Person, he shall be liable to make good such Damage, as well as to pay such Penalty; and the Amount of such Damage, in case of Dispute, shall be determined by the Justices by whom the Party incurring such Penalty is convicted, and the Payment of the Amount of such Damage may be enforced in all respects as such Penalty.

Damages to be made good in addition to Penalty.

CCXXIX. It shall be lawful for any Officer or Servant of the said Metropolitan Board, or any Vestry or District Board, and for any Police Constable, and all Persons called by him to his Assistance, to seize and detain any Person who has committed any Offence against the Provisions of this Act, or any Byelaw made in pursuance thereof, and whose Name and Residence shall be unknown to such Officer or Servant or Police Constable, and convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Transient Offenders.

CCXXX. No Act, Order, or Proceeding in pursuance of this Act, or in relation to the Execution thereof, shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts, except as herein specially provided.

Proceedings not to be quashed for Want of Form.

CCXXXI. If any Person feel aggrieved by any Adjudication or Determination of any Justice or Justices with respect to any Penalty or Forfeiture under the Provisions of this Act, such Party may appeal to the General or Quarter Sessions; but no such Appeal shall be entertained unless it be made within Four Months next after the making such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal is brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two Sureties, before Two Justices, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Parties allowed to appeal to Quarter Sessions, on giving Security.

CCXXXII. At the General or Quarter Sessions for which such Notice is given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court

Court to make such Order as they think reasonable.

Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid to the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Penalties to be sued for within Six Months.

CCXXXIII. No Person shall be liable to the Payment of any Penalty or Forfeiture under this Act, or any Byelaw made by virtue thereof, for any Offence made cognizable before a Justice, unless the Complaint respecting such Offence have been made before such Justice within Three Months next after the Commission or Discovery of such Offence.

Application of Penalties.

CCXXXIV. If the Application of any Penalty or Forfeiture be not otherwise provided for, One Half thereof shall go to the Informer, and the Remainder shall go to the Vestry or District Board of the Parish or District in which the Offence was committed, or if such Vestry or Board be the Informers, the whole of the Penalty recovered shall go to them; and all Sums which shall go to or be recovered by any such Vestry or Board on account of any such Penalty or Forfeiture shall be paid to their Treasurer, or otherwise into such Bank, to their Account, as they may direct, and shall be applicable to the general Expenses of the Vestry or Board; provided that in every Case where any Vestry or Board are liable to any Penalty or Forfeiture the whole of such Penalty or Forfeiture shall go to the Informer.

Special Provisions and Savings.

Provision for joint Action of Vestries, and Elections out of Vestries under Local Acts.

CCXXXV. Where the Vestries of any Parishes mentioned in either of the Schedules (A.) and (B.) to this Act now act jointly or in union, or exercise any Powers or Privileges jointly or in union, or elect Guardians, Directors, Trustees, or other Persons whomsoever whose Offices are not expressed to be determined by this Act for any joint Purposes, the Vestries of such Parishes elected under this Act may act jointly or in union, and shall have the like Powers and Privileges jointly or in union, and elect for such joint Purposes in like Manner and with the like Effect; and where in any of the said Parishes any Guardians, Directors, Trustees, or other Persons whosoever whose Offices are not expressed to be determined by this Act are now by Law elected out of the Vestry of any such Parish, such Guardians, Directors, Trustees, or other Persons as aforesaid may be elected out of or from the Vestrymen and Persons who under this Act are eligible as Vestrymen for the same Parish; and the

the Office of no such Guardian, Director, Trustee, or other Person shall be determined by reason of his ceasing to be a Vestryman in consequence of the passing of this Act; but every such Guardian, Director, Trustee, or other Person shall continue in Office until such Time as he would otherwise have ceased to hold his Office.

Agreement between the London and North-western Railway Company and certain Paving Commissioners confirmed.

CCXXXVI. And whereas by an Agreement, made on the Tenth Day of *August* One thousand eight hundred and fifty-four, between the *London and North-western* Railway Company of the One Part, and Five of the Commissioners acting under certain Acts of Parliament relating to the paving and improving of certain Streets in the Parish of *Saint Pancras* in the County of *Middlesex* of the other Part, it was agreed that the Commissioners acting under the said Acts should, in consideration of the Payment of the Sums of Three thousand Pounds and Five hundred Pounds to the said Commissioners by the said Company, put into good and complete State of Repair and Condition certain Roads therein particularly mentioned, and (except in the event therein mentioned of an Act not being obtained during the then next Session to authorize the Transfer to the said Commissioners of the Management of the said Roads) would maintain the said Roads at their own Charge and Expense: And whereas the said Sums have been paid to the said Commissioners, and it is expedient that the said Agreement should be confirmed, as herein-after mentioned:

The said Agreement shall be confirmed so far as the same relates to the Repair and Maintenance of the said Roads; and the Maintenance thereof shall be vested in the Vestry of the said Parish of *Saint Pancras* in like Manner as if the said Commissioners had been by Act of Parliament liable to maintain and repair the said Roads at the Time of the Commencement of this Act; and the Sums paid to the said Commissioners as aforesaid, or such Part thereof as may not have been already applied for the Purpose of putting the said Roads into good and complete Repair, shall be paid over to the Vestry of the Parish of *Saint Pancras*, and be applied for the general Benefit of such Parish in aid of any Rates to be raised in such Parish to defray Expenses of paving, anything in this Act or in any Act relating to the said Company to the contrary notwithstanding.

Special Provision as to Powers of Commissioners acting under 5 & 6 Vict. c. xlviii. as to paving Ely Place, &c.

CCXXXVII. This Act shall not divest the Commissioners under an Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Forty-eight (Local), "For paving, lighting, watching, cleansing, and improving *Ely Place* and *Ely Mews*, *Holborn*, in the County of *Middlesex*," of any of the Powers or Property vested in them under that Act, nor shall any of the Provisions of this Act in relation to the paving, lighting, watering, and cleansing of Streets apply to the

the Parts within the Limits of the said Local Act, nor shall such Parts be assessed or rated under this Act for defraying any Expenses incurred by the District Board for the *Holborn* District in relation to paving, lighting, watering, and cleansing; but such Parts shall be subject to all the Provisions of this Act relating to Sewerage and House Drainage, and to be assessed or rated for Sewerage Expenses incurred by the said District Board, and for Expenses incurred by the Metropolitan Board of Works, and towards any Sums required to be raised by such Board under this Act, in like Manner as other Parts within the said District.

Special Provision as to Parish of Woolwich.

CCXXXVIII. Notwithstanding anything in this Act contained to the contrary, the Provisions of this Act shall extend and apply to the Parish of *Woolwich* only to the Extent and in manner herein-after mentioned; (that is to say,)

A Member of the Metropolitan Board of Works shall be from Time to Time elected by the Local Board of Health of *Woolwich*, at a Meeting of such Board, as by this Act directed with respect to the Vestry of each of the Parishes mentioned in the said Schedule (A.):

The said Metropolitan Board shall have and perform, within and in relation to the said Parish, all the Powers and Duties vested in them under this Act, in like Manner as within and in relation to other Parishes mentioned in the said Schedule (A.), save that the said Local Board shall be subject to all Orders of the said Metropolitan Board in relation to Sewerage and otherwise, and to all Precepts requiring Payment of Money, in all respects as the Vestries of other Parishes in the said Schedule (A.) are subject to the same, in lieu of the Vestry of the said Parish; and all Sums required to be paid by such Precepts shall be defrayed out of any Moneys carried to the District Fund Account, or by means of a General District Rate to be levied on the whole of the Parish of *Woolwich*, or such Part thereof as may be specified in the Precept of the said Metropolitan Board.

Special Provisions as to inclosed Gardens in Squares, &c.

CCXXXIX. Where any enclosed Garden or ornamental Ground is vested in or under the Maintenance or Management of any Commissioners or other Body, for the Use of the Inhabitants of any Square, Crescent, Circus, Street, or Place, surrounding or adjoining such Garden or Ground, and the Powers of such Commissioners or other Body do not extend beyond such Garden or Ground, and such Square, Crescent, Circus, Street, or Place, or any adjoining Street, Way, or Passage, so far as the same may abut upon any Part of any House, Shop, Building, or Tenement situate in or fronting any such Square, Crescent, Circus, Street, or Place, nothing in this Act shall divest such Commissioners or Body of any Property in such Garden

or

or Ground, or in any Railing or Footway bounding the same, or of any Duties, Powers, or Authorities now or hereafter vested in any such Commissioners or other Body, for or in relation to the paving, watering, cleansing, improving, or regulating of such enclosed Garden or ornamental Ground, or in relation to the Railing or Footway bounding the same, or to levy Rates for defraying any Expenses incurred in the Execution of such Duties or Powers; and where the Maintenance or Management of any enclosed Garden or ornamental Ground is vested in any Commissioners or other Body, for the Use or Benefit of the Inhabitants of any Square, Crescent, Circus, Street, or Place surrounding or adjoining the same, who are liable to be assessed for the Maintenance thereof, and the Powers of such Commissioners or other Body extend beyond such enclosed Garden or ornamental Ground, and such Square, Crescent, Circus, Street, or Place, or such adjoining Street, Way, or Passage as aforesaid, the Maintenance and Management of such enclosed Garden or ornamental Ground shall be vested in a Committee, consisting of not more than Nine nor fewer than Three of such Inhabitants, and such Committee shall be appointed annually in the First Week in *June* by such Inhabitants; and the Vestry or Board shall from Time to Time cause to be raised the Sums required by such Committee for defraying the Expenses of the Maintenance and Management of such enclosed Garden or ornamental Ground, or of such Part thereof as is situate within their Parish or District, by an Addition to the General Rate to be assessed on the Occupiers of the Houses or Buildings the Occupiers whereof are now liable to be assessed for the same Purpose: Provided always, that where any such Rate which may now be levied for such Purpose is limited in Amount the Rate to be levied under this Provision shall be subject to the like Limit.

Saving of Powers and Property of Commissioners under 14 & 15 Vict. c. 95.

CCXL. This Act shall not divest the Commissioners for carrying into execution "The Crown Estate Paving Act, 1851," and the subsisting Provisions of the Acts therein recited, or the Commissioners of Her Majesty's Works and Public Buildings, of any of the Powers, Duties, Authorities, or Property vested in them respectively under the said Acts; and nothing in this Act shall extend to authorize or empower any Vestry or District Board to exercise any Power or Control whatsoever in respect of paving, maintaining, lighting, watering, cleansing, and regulating any Streets or Places in the Neighbourhood of the Houses of Parliament, delineated on a Plan marked E., referred to by "The Crown Estate Paving Act, 1851," or any Portion of the District now under the Management of the Commissioners for carrying into execution the said Crown Estate Paving Act, and the subsisting Provisions aforesaid, or to exercise any Power or Control whatsoever in or over any of the Gardens or Pleasure Grounds the Management

ment whereof is now or may for the Time being be vested in such last-mentioned Commissioners; nor shall any such Street or Place, or any Portion of such District, as aforesaid, be assessed or rated under this Act for defraying any Expenses incurred by any Vestry or District Board in relation to paving, lighting, watering, or cleansing, but such Streets, Places, and District shall be subject to all the Provisions of this Act relating to Sewerage and House Drainage, and to be assessed or rated for Sewerage Expenses incurred by any such Vestry or Board, and for Expenses incurred by the Metropolitan Board of Works, and towards any Sums required to be raised by such Board under this Act as by this Act provided.

Saving of the Rights of the Commissioners of Works.

CCXLI. Nothing in this Act shall divest the Commissioners for the Time being of Her Majesty's Works and Public Buildings of any Power or Property now or which for the Time being may be vested in them; and nothing in this Act shall extend to authorize or empower any Vestry or District Board to exercise any Power or Control whatsoever in or over any of the Royal or Public Parks, Gardens, or Pleasure Grounds, the Management whereof is now or may be for the Time being vested in such Commissioners; and nothing in this Act shall abridge, alter, or affect any Right, Power, Exemption, or Remedy of the Queen's most Excellent Majesty, Her Heirs or Successors, or the said Commissioners, in, over, or in relation to the Possessions of the Crown or of the Public.

Saving of Powers of City Commissioners of Sewers over certain Parts of Parishes in Schedule (B.)

CCXLII. Nothing in this Act shall divest the Commissioners of Sewers of the City of *London* of any Powers or Property vested in them in relation to such Parts of any of the Parishes mentioned in Schedule (B.) to this Act as are within the City of *London*, nor shall such Parts be subject to be rated or assessed by any District Board, but shall be subject to all the Powers of the Metropolitan Board of Works as other Places in the City of *London*.

Saving Rights of Metropolitan Sewage Manure Company, acting under 9 & 10 Vict. c. ccexeviii. and 10 & 11 Vict. c. cxxxviii.

CCXLIII. Nothing in this Act shall extend to or affect any of the Rights, Privileges, Powers, or Authorities vested in the Metropolitan Sewage Manure Company by an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, intituled *An Act to incorporate a Company by the Name of the Metropolitan Sewage Manure Company*, or an Act of the Session then next following, intituled *An Act for enabling the Metropolitan Sewage Manure Company to alter the Line of their Works, and for other Purposes:* Provided always, that all Rights, Powers, and Authorities by either of the said Acts vested in the Commissioners of Sewers for the Time being for the City and Liberty of *Westminster* and Part of the County of *Middlesex* shall be vested in the Metropolitan Board of Works,

Works, and the Provisions of the said Acts shall be construed as applying to such Board in lieu of such Commissioners, but any Order or Act which might have been made or done by the said Commissioners at a Court of Sewers may be made or done by the said Metropolitan Board at any Meeting of such Board.

Saving Rights of Commissioners or Trustees of Turnpike Roads.

CCXLIV. Nothing in this Act shall divest the Commissioners or Trustees of any Turnpike Road of any Powers or Property vested in them as such Commissioners or Trustees, save as herein expressly provided with respect to Turnpike Roads, and save that the Footpaths of any such Road shall be under the Care and Management of the Vestries and District Boards of the Parishes or Districts in which the same are situate in like Manner as other Footpaths in such Parishes and Districts: Provided always, that the Provisions of this Act transferring to Vestries and District Boards Powers and Property vested in any Commissioner or other Body in relation to the paving, lighting, watering, cleansing, and improving of their Parishes and Districts, and all other Provisions of this Act incident to or consequent upon such Transfer, shall apply to all Powers and Property vested in the Trustees of the *Commercial Road*, so far as regards any Streets or Highways other than such Road, and also so far as regards the Footpaths of such Road.

Saving for Metropolitan Police Commissioners.

CCXLV. Nothing in this Act shall interfere with the Powers given by Law to the Commissioners of the Police of the Metropolis.

Not to prejudice Dispute between Battersea and Penge.

CCXLVI. Nothing in this Act shall be construed to prejudice or affect any Question as to whether the Hamlet of *Penge* is or is not a Part of the Parish of *Battersea*.

Repeal of Acts inconsistent with this Act.

CCXLVII. All Acts of Parliament in force in any Parish or Place to which this Act extends, or in any Part of such Parish or Place, shall, so far as the same are inconsistent with the Provisions of this Act, be repealed as regards such Parish or Place, or such Part thereof, notwithstanding any Provisions of this Act continuing and transferring respectively to Vestries of Parishes and transferring to District Boards any Duties, Powers, or Authorities now vested in Vestries, Commissioners, or other Bodies.

In case of Conflict with the Provisions of this Act, Provisions of Local Acts may be varied by Order in Council, on Petition

CCXLVIII. Upon the Petition of the Metropolitan Board of Works, or of any District Board or Vestry, representing to Her Majesty in Council that by reason of the Provisions of any Local Act of Parliament relating to any District or Parish, or any Part thereof respectively, Difficulties have arisen in the Execution of this Act and of such Local Act or either of them, and praying for a Suspension or Alteration of all or any of the Provisions of such Local Act, or for the Establishment of other Provisions in lieu thereof under this Enactment,

of Boards or Vestries.

Enactment, it shall be lawful for Her Majesty, by Order in Council, to suspend or alter all or any of the Provisions of such Local Act, and to make other Provisions in relation to the Matters thereof as Her Majesty, with the Advice of Her Privy Council, may think necessary under the Circumstances of the Case; and every such Order in Council shall be laid before both Houses of Parliament within One Month after the making thereof, if Parliament be then sitting, or, if Parliament be not sitting, then within One Month after the next Meeting of Parliament, and shall be published in the *London Gazette:* Provided always, that no such Order in Council shall remain in force beyond the Term of One Year from the making thereof.

Power to extend Act to adjoining Parishes.

Act may be extended by Order in Council to Parishes adjoining the Metropolis not having less than 750 Ratepayers.

CCXLIX. In case and when and so often as it is made to appear to Her Majesty in Council, upon the Representation of the Metropolitan Board of Works, that the Provisions of this Act should be extended to any Parish adjoining the Metropolis, and in which there are not less than Seven hundred and fifty Inhabitants rated to the Relief of the Poor, it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that the Provisions of this Act shall extend to such Parish, from and after a Day to be mentioned in this Behalf in the Order in Council, and that such Parish shall join with any Parish or Parishes or District in such Order named in the Election from Time to Time of the Member or Members of the Metropolitan Board of Works by this Act directed to be elected for such Parish or Parishes or District, and to make such Provision as to the Mode in which every such joint Election shall take place, and otherwise in relation thereto, as to Her Majesty in Council may seem necessary and proper; and every such Order shall be published in the *London Gazette;* and from and after the Time mentioned in such Order for the Extension of the Provisions of this Act to any Parish as aforesaid, the Provisions of this Act shall extend to and be in force therein, in like Manner, so far as Circumstances will admit, as such Provisions apply to any Parish mentioned in Schedule (A.) of this Act, subject, nevertheless, to the Provisions in such Order contained in relation to the Election by such Parish jointly as aforesaid of a Member or Members of the said Metropolitan Board: Provided always, that Notice of every such Representation, and of the Time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published in the *London Gazette* One Month at least before such Representation is so considered.

Interpretation and Commencement of Act.

Interpretation of Terms: "the Metropolis:"

CCL. In the Construction of this Act "the Metropolis" shall be deemed to include the City of *London*, and the Parishes and Places

Places mentioned in the Schedules (A.), (B.), and (C.) to this Act; "the City of *London*" shall be deemed to include all Parts now within the Jurisdiction of the Commissioners of Sewers for the City of *London;* and the Word "Parish" shall include any Place mentioned in Schedule (A.) to this Act, and any Place or Combination of Places mentioned in Schedule (B.) to this Act, for which One or more Member or Members is or are to be elected to any District Board; the Expression "the Overseers of the Poor" shall include any Persons authorized to make and collect or cause to be collected the Rate for the Relief of the Poor in any Parish; any Expression referring to any Rate or Rates raised under this Act by the Metropolitan Board of Works or any Vestry or District Board shall mean the Sums and Rates authorized to be raised by the said Metropolitan Board and the Sums authorized to be raised by any Vestry and District Board respectively; the Word "Owner" shall, except for the Purpose of the Provision of this Act requiring Notice to be served on Owners or reputed Owners of Land, before Application to One of Her Majesty's Principal Secretaries of State for his Consent to exercise Powers of taking Land, or any Right or Easement in or over Land, compulsorily, mean the Person for the Time being receiving the Rackrent of the Lands or Premises in connexion with which the said Word is used, whether on his own Account or as Agent or Trustee for any other Person, or who would so receive the same if such Lands or Premises were let at a Rackrent; the Word "Street" shall apply to and include any Highway (except the Carriageway of any Turnpike Road), and any Road, Bridge (not being a County Bridge), Lane, Footway, Square, Court, Alley, Passage, whether a Thoroughfare or not, and a Part of any such Highway, Road, Bridge, Lane, Footway, Square, Court, Alley, or Passage; the Word "Drain" shall mean and include any Drain of and used for the Drainage of One Building only, or Premises within the same Curtilage, and made merely for the Purpose of communicating with a Cesspool or other like Receptacle for Drainage, or with a Sewer into which the Drainage of Two or more Buildings or Premises occupied by different Persons is conveyed, and shall also include any Drain for draining any Group or Block of Houses by a combined Operation under the Order of any Vestry or District Board; and the Word "Sewer" shall mean and include Sewers and Drains of every Description, except Drains to which the Word "Drain," interpreted as aforesaid, applies; and the Word "Ashpit" shall include "Dustbin."

"the City of London:"

"Parish:"

"Overseers of the Poor:"

"Rates:"

"Owner:"

"Street:"

"Drain:"

"Sewer:"

"Ashpit."

CCLI. This Act shall commence and come into operation, save as herein otherwise provided, on the First Day of *January* One thousand eight hundred and fifty-six.

Commencement of Act.

SCHEDULE (A.)

Part I.

Parishes each electing Two Members of the Metropolitan Board of Works.

Saint Marylebone.
Saint Pancras.
Lambeth.
Saint George Hanover Square.
Islington, Saint Mary.
Shoreditch, Saint Leonard.

Part II.

Parishes each electing One Member of the Metropolitan Board of Works.

Paddington.
Saint Matthew Bethnal Green.
Saint Mary Newington, Surrey.
Camberwell.
Saint James Westminster.
Saint James and Saint John Clerkenwell to be considered as One Parish.
Chelsea.
Kensington, Saint Mary Abbot.
Saint Luke Middlesex.
Saint George the Martyr Southwark.
Bermondsey.
Saint George in the East.
Saint Martin in the Fields.
Hamlet of Mile End Old Town.
Woolwich.
Rotherhithe.
Saint John Hampstead.

SCHE-

SCHEDULE (B.)

Parishes united into Districts for the Purposes of the Act.

Part I.

Districts each electing One Member of the Metropolitan Board of Works.

Name of District.	Parishes.	Number of Members to be elected to District Board.
Whitechapel District -	Saint Mary Whitechapel - -	27
	Christchurch Spitalfields - -	12
	Saint Botolph without Aldgate, in the County of Middlesex - -	6
	Holy Trinity, Minories - - -	1
	Saint Katherine, Precinct of - -	1
	Mile End New Town, Hamlet of -	6
	Liberty of Norton Folgate - -	3
	Old Artillery Ground - - -	1
	Tower, District of - - -	1
	Total - - -	58
Westminster District -	Saint Margaret - - -	30
	Saint John the Evangelist - -	27
	Total - - -	57
Greenwich District -	Saint Paul Deptford, including Hatcham	21
	Saint Nicholas Deptford - -	6
	Greenwich - - - -	30
	Total - - -	57
Wandsworth District -	Clapham - - - -	18
	Tooting Graveney - - - -	3
	Streatham - - - -	9
	Saint Mary Battersea, excluding Penge	12
	Wandsworth - - - - -	9
	Putney, including Roehampton -	6
	Total - - -	57
Hackney District -	Hackney - - - -	51
	Saint Mary Stoke Newington -	6
	Total - - -	57

Metropolis Local Management.

Name of District.	Parishes.	Number of Members to be elected to District Board.
Saint Giles District -	Saint Giles in the Fields - -	27
	Saint George Bloomsbury - -	21
	TOTAL - - -	48
Holborn District -	Saint Andrew Holborn above Bars -	24
	Saint George the Martyr - -	9
	Saint Sepulchre, in the County of Middlesex - - - -	6
	Saffron Hill, Hatton Garden, Ely Rents, and Ely Place - -	9
	The Liberty of Glasshouse Yard -	1
	TOTAL - - -	49
Strand District -	Saint Anne Soho - - -	18
	Saint Paul Covent Garden - -	9
	Saint John the Baptist Savoy, or Precinct of the Savoy - -	1
	Saint Mary-le-Strand - -	3
	Saint Clement Danes - -	15
	Liberty of the Rolls - - -	3
	TOTAL - - -	49
Fulham District -	Saint Peter and Saint Paul Hammersmith	24
	Fulham - - - -	15
	TOTAL - - -	39
Limehouse District -	Saint Anne Limehouse - -	15
	Saint John Wapping - -	3
	Saint Paul Shadwell - -	6
	Ratcliffe, Hamlet of - -	12
	TOTAL - - -	36
Poplar District - -	All Saints Poplar - - -	24
	Saint Mary Stratford-le-Bow -	9
	Saint Leonard Bromley - -	15
	TOTAL - - -	48
Saint Saviour's District	Christchurch - - - - -	15
	Saint Saviour (including the Liberty of the Clink) - - - -	24
	TOTAL - - -	39

PART

PART II.

Districts united for electing One Member of the Metropolitan Board of Works.

Name of District.	Parishes.	Number of Members to be elected to District Board.
Plumstead District -	Charlton next Woolwich - -	9
	Plumstead - - - -	12
	Eltham - - - -	6
	Lee - - - - -	9
	Kidbrooke - - - - -	1
united with	TOTAL - - -	37
Lewisham District -	Lewisham, including Sydenham Chapelry - - - -	24
	Hamlet of Penge - - -	3
	TOTAL - - -	27

PART III.

Parish and District united for electing One Member of the Metropolitan Board of Works.

The Parish of Rotherhithe,		
united with		
Saint Olave District -	Saint Olave - - - -	12
	Saint Thomas Southwark - -	1
	Saint John Horsleydown - -	15
	TOTAL - - -	28

SCHEDULE (C.)

The Close of the Collegiate Church of Saint Peter.
The Charter House.
Inner Temple.
Middle Temple.
Lincoln's Inn.
Gray's Inn.
Staple Inn.
Furnival's Inn.

SCHEDULE (D.)

Main Sewers of the Metropolis.

North Side of the Thames.

Stamford Brook (West Branch).

Commences at an Angle in the Boundary between the Parishes of Hammersmith and Acton, on the South of the Uxbridge and London Road, and tangent to a Footpath running South from East Acton Lane, extending thence in a South-easterly Direction to Paddenswick Green, when it joins the East Arm of the said Brook.

Stamford Brook (East Branch).

Commences at a Point on the Boundary between the Parishes of Hammersmith, Willesden, and Acton, about 100 Feet North-east of the Old Oak Bridge over the North-western Railway, extending thence in a Southerly Direction to Paddenswick Green.

The united Streams of the above Two Branches discharge into Hammersmith Creek.

Brook Green Sewer.

Commences in Wood Lane, at the Keeper's Lodge, on the South Side of Wormwood Scrubs, and discharges into the River Thames by Two Outlets, viz., Bridge Road and Queen Street, on the East Side of Hammersmith Suspension Bridge.

A Branch from the above commences in New Road, at the North End of the Grove, and joins the Main Sewer at Broadway Hammersmith.

Fulham Sewer.

Commences at a Sluice in the Moat surrounding the Bishop of London's Palace, on the West Side of the Junction of High Street, Fulham, with the Fulham Road, and discharges into the Thames under the Toll House of Fulham Bridge.

Eel Brook Sewer.

Commences at a Point in North End Road, about 80 Feet North-west of Walham Green Church, and discharges into Kensington Canal on the South-east Side of the Imperial Gasworks.

Counters

Metropolis Local Management.

Counters Creek Sewer (Main Line).

Commences at a Point in the Harrow Road, about 200 Feet West of Kensal Green Cemetery Gate, and discharges into the Thames at the Outlet now forming on the South-west Side of Cremorne Gardens.

Counters Creek Sewer (West Branch).

Commences at a Culvert under the Grand Junction Canal, on the Boundary between the Parishes of Kensington and Hammersmith, at the South-west Corner of Kensal Green Cemetery, and joins the above Main Line in Latimer Road at its Junction with Bromley Road.

Counters Creek Sewer (East Branch).

Drains the whole of Kensal New Town, situate in a detached Portion of the Parish of St. Luke Chelsea, and Part of the Parish of St. Mary Paddington, and passes under the Great Western Railway at a Bridge leading to Portobello Lane, on the South-east Side of the Western Gasworks, and joins the Main Sewer at a Point about a Quarter of a Mile North-west of Notting Barn Farm.

Counters Creek Sewer (Kensington Branch).

Commences in Victoria Grove at about 50 Feet to the North of Uxbridge Road, and joins the Main Line at the Junction of Pembroke and Warwick Roads.

Sewer to the Metropolitan Sewage Manure Works.

Commences at Knightsbridge at its Junction with the Ranelagh Sewer, and extends thence in a South-westerly Direction to the Works at Stanley Bridge.

Millman's Row Sewer.

Commences in Fulham Road, at about 780 Feet West, and at about 230 Feet East of the Junction of Park Walk with Fulham Road, and discharges into the River Thames opposite to Millman's Row.

Church Street Sewer.

Commences in Gloucester Road at its Junction with Canning Place, at about 750 Feet South of Hogmore Lane Gate, and discharges into the Thames on the South Side of Chelsea Old Church.

Queen Street Sewer.

Commences between Gloucester Road and Hyde Park Gate South, on the South of Kensington Road, and about 300 Feet South of Kensington Gate runs through Old Brompton, and discharges into the River Thames on the East Side of Chelsea Free Dock.

Smith

Metropolis Local Management.

Smith Street Sewer.

Commences in the Kensington Road at a Point about 750 Feet West of Prince of Wales Gate, and extends thence by Rutland Gate, Rutland Street, and Fulham Road, on the West of Brompton Crescent, and along College and Markham Streets, and discharges into the Thames on the West Side of Chelsea Royal Hospital.

Ranelagh Sewer.

The Branch Sewers from Edgeware Road, Finchley Road, and Kilburn Vale unite at Kilburn Bridge, and for the Main Line, which, running in a Southerly Direction, discharges into the River Thames on the South-east Side of Chelsea Royal Hospital.

This Sewer has several Branches, the chief of which commences in Grove End Road, at about 900 Feet West of St. John's Wood Road, extending thence by Lisson Grove, New Road, Grand Junction Road, and Albion Street, to a Tumbling Bay, where it joins the Main Sewer in Uxbridge Road.

King's Scholars Pond Sewer.

Commences in the Finchley Road, at about 1500 Feet above Junction Road Toll Gate, and discharges into the River Thames at the Equitable Gasworks, about 700 Feet above Vauxhall Bridge.

King's Scholars Pond Sewer (Pall Mall Branch).

Commences at Waterloo Place, and joins the Main Line opposite the Entrance of Buckingham Palace.

Grosvenor Ditch.

Commences in Page Street, at about 150 Feet East of the Junction with Regent Street, Vauxhall Bridge Road, and discharges into the River Thames at the Northern Extremity of Millbank Road.

Horseferry Road Sewer.

Commences in Grey Coat Place, and discharges into the River Thames at the Horseferry Stairs.

Wood Street Sewer.

Commences in Grey Coat Place, and discharges into the River Thames in the Prolongation of Wood Street.

Victoria Street Sewer.

Commences at Shaftesbury Terrace, Pimlico, and discharges into the Thames at Percy Wharf.

Regent

Metropolis Local Management.

Regent Street Sewer (Western Branch).

Commences in the outer Circle of the Regent's Park, at about 200 Feet North-west of Hanover Gate Entrance, and joins the Eastern Branch in the New Road, opposite to the Prolongation of Portland Place.

Regent Street Sewer (Eastern Branch).

Commences in Upper Albany Street, at about 200 Feet South of Collateral Cut Bridge over the Regent's Canal, and joins the Western Branch at the aforesaid Point in the New Road.

The Main Sewer proceeds thence along Regent Street, and discharges into the River Thames at Percy Wharf.

Northumberland Street Sewer (Western Branch).

Commences in Warren Street, on the North of Fitzroy Square, and proceeds in a Southerly Direction along Cleveland, Newman, Wardour, Princes, and Panton Streets, Haymarket, to Charing Cross, opposite the District Post Office.

Northumberland Street Sewer (Eastern Branch).

Commences in New Road, at about 170 Feet West of the Junction with Hampstead Road, and proceeds along Tottenham Court Road, High Street, Seven Dials, and St. Martin's Lane, to Charing Cross, when it joins the Western Branch.

The Main Line proceeds along Northumberland Street, and discharges into the Thames at Northumberland Wharf.

Savoy Street Sewer.

Commences in Stanhope Street, Regent's Park Basin, at a Point at about 160 Feet North of the Junction with Edward Street, and proceeds along Robert, George, Gower, Charlotte, Bloomsbury, Endell, Bow, Wellington, and Savoy Streets, and discharges into the Thames at a Point about 100 Feet above Waterloo Bridge.

Norfolk Street Sewer.

Commences at the Junction of Drury Lane and Long Acre, and passes by the Olympic Theatre, and along Newcastle Street and Strand, and discharges into the River Thames opposite Norfolk Street.

Essex Street Sewer (Western Branch).

Commences in Russell Square, opposite Montague Place, and proceeds along Montague, Russell, and Museum Streets, Drury Lane, Great Wild Street, and Vere Street, to the Junction of the Eastern Branch at the Intersection of Sheffield and Gilbert Streets, Clare Market.

Essex Street Sewer (Eastern Branch).

Commences at the Corner of Tottenham Court Road, and proceeds along New Oxford Street, Newton Street, and Cross Lane, Parker and Great Queen Streets, West Side of Lincoln's Inn Fields, to the Junction with the Western Arm above described.

The Main Sewer proceeds thence along Gilbert Street, Clement's Lane, Pickett Street, and Essex Street, and discharges into the River Thames at Temple Pier.

Fleet Sewer.

Commences in High Street, Hampstead, at the Junction of High Street with Flask Walk, extending thence through South End Green, Gordon House Lane, Victoria Road, Great College Street, Old St. Pancras Road, Bagnigge Wells Road, West of Middlesex House of Correction, and by Farringdon Street to Blackfriars Bridge, where it discharges into the River Thames.

This Sewer has numerous Tributaries running into other Districts, the chief of which are Camden Road, Caledonian Road, Pentonville Hill, River Street, St. John's Road, Holborn Hill, and Guildford Street.

Goswell Street Sewer.

Commences in Sydney Street, at the Junction of Sydney Grove, and discharges into the Thames at Walbrook.

London Bridge Sewer (City Road Branch).

Commences at Duncan Terrace, on the West Side of the New River, and joins the Main Line at the North End of Finsbury Pavement.

Another Branch commences in Lonsdale Square, Islington, and, extending thence through Barnsbury Street, Richmond Grove, passes under the New River at New North Road Bridge, thence along Portland Place, King Street, under the Regent's Canal, by Sturt's Lock, Walbrook Street, and Critchill Place, where it joins another Branch at St. John's Church Hoxton.

London Bridge Sewer (Balls Pond Branch).

Commences on the Boundary between St. Mary Islington and St. John Hackney, at Cock and Castle Lane, Dalston, and passes by Balls Pond and Rosemary Branch Bridge to the Junction at St. John's Church, above described. The united Sewers then discharge into the River Thames at London Bridge.

London Bridge Sewer (Shoreditch Branch).

Commences in Queen's Road, at the Junction with Laurel Street, Dalston, and extending thence along Queen's Road, Great Cambridge Street,

Street, Hackney Road, Shoreditch, and Bishopsgate, joins the Main Line at King William's Statue.

Irongate Sewer.

Commences in the City, and proceeds along the South-west Side of Houndsditch, West Side of Minories, and by the Precincts of Old Tower Without, and discharges into the River Thames at Irongate Stairs, on the East of the Tower.

Nightingale Lane Sewer.

Commences in Union Street, Old Artillery Ground, and Booth Street, Spitalfields, and extends thence along Commercial, Leonard, Wells, and Parson Streets, and Nightingale Lane, and discharges into the Thames on the Western Side of the Entrance into Hermitage Basin.

Hermitage Street Sewer.

Commences in Redmead Lane, on the Boundary between the Parishes of St. John Wapping and St. George in the East, and extends thence along Great Hermitage Street, and discharges into the River Thames at about 50 Feet East of Union Stairs.

Old Gravel Lane Sewer.

Commences at the Boundary between the Parishes of St. George in the East and St. John Wapping, in Old Gravel Lane, and discharges into the River Thames at a Point about 110 Feet West of the Thames Tunnel.

Wapping Wall Sewer.

Commences in Green Bank, at the Junction of Upper Well Alley, and passes through King Street, and discharges into the River Thames at about 120 Feet on the North-east Side of New Crane Dock.

Shadwell Basin Sewer.

Commences on the North Side of the Eastern Dock, at the Termination of West Gardens, and extends thence between the Warehouses and New Gravel Lane, on the North Side of Shadwell Basin, and along Shadwell Dock Street, and discharges into the River Thames at the Eastern Pier of the Shadwell Entrance to the London Docks.

Pennington Street Sewer.

Commences at the Boundary between the Parishes of St. George in the East and St. John Wapping, in St. George Street, and extends thence along Pennington Street, Old Gravel Lane, West Gardens, Cow Lane, Little Spring Street, Labour-in-Vain Street, and Lower Shadwell, and discharges into the River Thames at Shadwell Dock Stairs.

Ratcliffe

Ratcliffe Highway Sewer (Western Branch).

Commences at the Junction of Sherwood Place with Meed Street, at about 900 Feet South-east of Shoreditch Church, and extends along Turvile, Thomas, and High Streets, and Whitechapel Road, to the Junction of New Road with Whitechapel Road.

Ratcliffe Highway Sewer (Eastern Branch).

Commences at the Junction of Hague Street with Bethnal Green Road, and extends along Hague Street, Wellington and Charles Streets, to the Junction of New Road with Whitechapel Road, above described.

Ratcliffe Highway Sewer (North-eastern Branch).

Commences from the Rear of Shoreditch Church, and proceeds along Old Castle Street, Virginia Row, Wellington Row, Old Bethnal Green Road, Cambridge Road, Cleveland Street, King Street, Jamaica Street, Havering Street, and Love Lane, to Ratcliffe Highway.

The Main Sewer proceeds along New Road, Cannon Street Road, St. George's Street, High Street, Shadwell, and Broad Street, and discharges into the River Thames at Ratcliff Cross Stairs.

Limekiln Dock Sewer.

Commences at the Junction of Victoria Road with Bishop's Road, on the South-western Side of Bonner's Hall Bridge, leading into Victoria Park, and extends along Victoria Road, East Side of Bethnal Green, Globe Road, White Horse Lane, and Rhodeswell Road, and passes under the Regent's Canal at Rhodeswell Wharf, thence along the Black Ditch, Upper North Street, and North Street, and discharges into the River Thames at Limekiln Dock.

Great Sluice and Drunken Dock Sluice.

These Sluices are situated on the Eastern Side of the Isle of Dogs, and drain the whole of that Part of the Isle South of the West India Dock Basin. They have Four inlet Sluices for Purposes of flushing.

Blackwall Sluice.

Commences at Batson's Inlet, near Limehouse Entrance to the West India Dock, and discharges into the Thames on the North Side of the Blackwall Entrance to the West India Dock.

Eastern Counties Railway Sewer.

Commences at Mile End Bridge, over the Regent's Canal in Bow Road, proceeds along Bow Road, Tredegar Square, and by the Railway, and discharges into the River Lea, where the Viaduct of the said Railway crosses that River.

Hackney

Hackney Brook Sewer (Main Line).

Commences in the High Road opposite to St. John's Church Upper Holloway, and extends thence in a South-east Direction along Holloway Road to a Point about 450 Feet South of Tollington Road, thence in an Easterly Direction by the North of Abney Park Cemetery, Hackney Downs, and Hackney Wick, and discharges into the River Lea, immediately to the North of Old Ford Wharf.

Hackney Brook Sewer (Wick Lane Branch).

Commences in Old Ford Road, on the East Side of Old Ford Bridge, crossing the Regent's Canal, and extends along Grove Road, Wick Lane, and joins the Main Sewer at Hackney Wick.

SOUTH SIDE OF THE THAMES.

Beverley Brook.

Commences on the Boundary between the Parishes of Putney and Wimbledon, at a Point about 1,800 Feet South of Beverley Bridge, on the Kingston Road, and discharges into the River Thames about Half a Mile above Putney Town.

Sewer between Parishes of Putney and Wandsworth.

Commences on the Road from Kingston to Wandsworth, and discharges into the River Thames at a Point about 1,500 Feet below Fulham Bridge.

Wandle River.

Commences at a Point where the Parishes of Streatham and Tooting intersect the River, and discharges into the River Thames at the Town of Wandsworth.

Falcon Brook.

Commences at Tooting Common, and discharges into the River Thames at Battersea Creek.

Lord Spencer's Sewer.

Commences in the Town of Battersea, and extends in an Easterly Direction through Battersea Park, and discharges into the River Thames at about 400 Feet below Battersea New Bridge.

Heath Wall Sewer (Main Line).

Commences at the Falcon Brook at a Sluice about 300 Feet North of the South-western Railway, and extending along the South Margin of Battersea Fields, discharges into the Thames at Heath Wall Mill.

Heath Wall Sewer (Clapham Rise Branch).

Commences on the Boundary between the Parishes of Clapham and Lambeth at the Intersection of New Road with Clapham Rise, and extends along the East Side of Clifton Street, and joins the Main Sewer at a Point about 100 Feet North-east of New Road, Battersea Fields.

Effra Sewer.

Commences at the Boundary between the Parishes of St. Mary Lambeth and Croydon, in Westow Hill Road, immediately opposite to the Convent of "Our Lady," and discharges into the River Thames at Vauxhall Creek, on the South Side of the Phœnix Gasworks, and near to Vauxhall Bridge.

Effra Sewer (Upper Norwood Branch).

Commences in Westow Hill Road on the Boundary between the Parishes of Lambeth and Croydon, at about 200 Feet West of the Crystal Palace Hotel, and proceeds Northward along the Boundary between the Parishes of St Mary Lambeth and St. Giles Camberwell, and joins the Main Sewer at a Point about 230 Feet West of Croxted Lane.

Duffield and Battle Bridge Sewers.

These Sewers drain the most densely inhabited Portions of the South Side. The Inlets for flushing Purposes are at Kennington, Vauxhall, Lambeth Church, and Stangate. The Outlets are by the following Sluices, viz., the Arnold and Dover Sluices, near Waterloo Bridge; Pudding Mill, near Blackfriars Bridge; the Boar's Head, Welsh Troopers, Black Lion, and Bear Sluices, near Southwark Bridge; the Bridge Yard, Battle Bridge; and Green Bank, in St. Olave Southwark; Freeman's Lane, St. John Jerusalem; and Great St. John, in Horsleydown; and the Salisbury and Duffield Sluices, in Bermondsey.

Limekiln Sluice.

Drains the open Fields of Part of the Parish of Rotherhithe, and proceeds along Swan Lane, and discharges into the River Thames at about 300 Feet East of the Thames Tunnel.

Globe Stairs Sewer.

Drains the Northern Basin of the Commercial Dock Company, and extends along the Eastern Side of St. Paul's Church, Rotherhithe, and Part of Rotherhithe Street, and discharges into the River Thames at Globe Stairs.

Sewer at Durand's Wharf (Rotherhithe).

Commences to the South-east of Bull-Head Dock, Rotherhithe, and pursues an Easterly Course by Rotherhithe and Lower Queen Street, and discharges into the River Thames at a "10 Footway," opposite to Cow Lane.

Rotherhithe

Metropolis Local Management.

Rotherhithe Pier Sewer.

Commences in Trinity Street, at a Point about 400 Feet South of Cow Lane, and proceeds along Trinity Street, and discharges into the River Thames at Rotherhithe Boat Pier.

Earl Sewer (Main Line).

Commences in Cold Harbour Lane, at a Point about 1,100 Feet North-east of its Junction with Loughborough Road, and proceeds along High Street, Camberwell, Camberwell Road, Boundary Lane, and Eastward along the Boundaries of several Parishes, and discharges into the River Thames on the Boundary between the Counties of Surrey and Kent, near to the Royal Dock Yard, Deptford.

Earl Sewer (Wyndham Road Branch).

Commences on the East Side of Kennington Park, and proceeds along New Row, and Southward on the East of Thomas Street, Eastward along Wyndham Road, and joins the Main Sewer at a Point about 100 Feet South of Southampton Street, Camberwell.

Earl Sewer (White Post Lane Branch).

Commences in Victoria Road, at the Junction with Choumert Place and Cutthroat Lane, near Peckham Rye, and proceeds along Victoria Road, Hanover Street, Rye Lane, High Street, Meeting-house Lane, Halfway House Lane, and White Post Lane, and joins the Main Sewer at the Junction of the Parishes of Rotherhithe, St. Paul's Deptford, and St. Giles Camberwell.

Royal Dock Yard Sewer.

Commences on the East of Black Horse Bridge, and extends Eastward on the South Side of the Mast Pond, and discharges into the River Thames opposite to the Royal Victualling Yard.

Ravensbourne and Sydenham Sewer.

Commences at Bell Green, and extends along and by Catsford Hill Road, Lewisham, and Bromley Road, Silver Street, Loam Pit Vale, and Mill Lane, and discharges into Deptford Creek at Parish Wharf, near Kingsford Mill.

Ravensbourne and Lee Green Sewer.

Commences in the Eltham Road, about 300 Feet East of Lee Green, and proceeds along Lee Road, Lewisham Road, Bath Place, Egerton Road, and North Pole Lane, to a pumping Station, where it discharges into Deptford Creek, at a Point about 400 Feet North of the London and Greenwich Railway.

Horseferry Road (Greenwich).

Commences in Caroline Street and Roan Street, and proceeds along Union and Bridge Streets, and discharges into the River Thames at Horseferry.

SCHE-

SCHEDULE (E.)

Form of Mortgage of Rates.

Mortgage, Number ( )

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], the Metropolitan Board of Works, *or* the Board of Works for the District of *or* the Vestry of the Parish of (*as the Case may be*), in consideration of the Sum of paid to by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said *A.B.*, his Executors, Administrators, and Assigns, all [*here describe the Monies or Rates to be mortgaged*], to hold to the said *A.B.*, his Executors, Administrators, and Assigns, from the Day of the Date hereof until the said Sum of with Interest at the Rate of per Centum per Annum for the same, shall be fully paid and satisfied; and it is hereby declared that the said Principal Sum shall be repaid on the Day of and that in the meantime the Interest thereof shall be paid on the Day of and the Day of in every Year.

In witness whereof the Metropolitan Board of Works, *or* the said District Board, *or* the said Vestry, (*as the Case may be*,) have hereunto set their Seal, this Day of One thousand eight hundred and

SCHEDULE (F.)

Form of Transfer of Mortgage.

I *A.B.* of in consideration of the Sum of Pounds paid to me by *C.D.* of do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number , bearing Date the Day of and made by the Metropolitan Board of Works, *or* the Board of Works for the District of *or* the Vestry of the Parish of for securing the Sum of and Interest [*or, if such Transfer be by Indorsement on the Mortgage, insert, instead of the Words after "Assigns,"* the within Security], and all my Property, Right, and Interest in and to the Money thereby secured, and in and to the Monies thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and

A.B. (L.S.)

LONDON:
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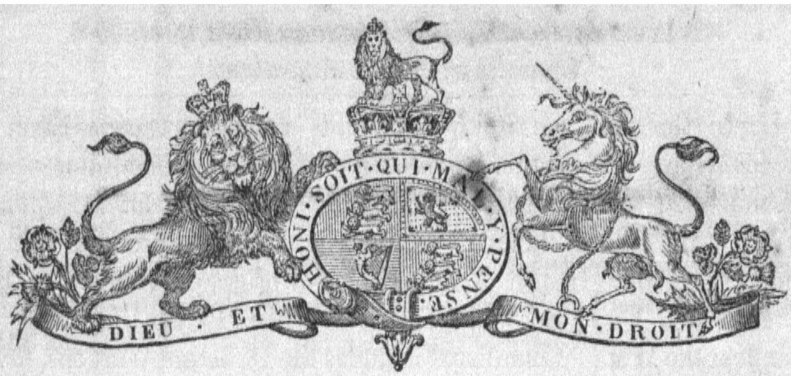

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

LIBRARY

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Interpretation of certain Terms used in this Act.

II. In this Act the following Words and Expressions have the Meanings by this Section herein-after assigned to them, unless such Meanings be repugnant to or inconsistent with the Context; (that is to say,) the Word "Place" includes any City, Borough, District under the Public Health Act, Parish, Township, or Hamlet, or Part of any such City, Borough, District, Town, Parish, Township, or Hamlet; the Word "Guardians" includes the Directors, Wardens, Overseers, Governors, or other like Officers having the Management of the Poor for any Parish or Place where the Matter or any Part of the Matter requiring the Cognizance of any such Officer arises; the Word "Borough," and the Expressions "Mayor, Aldermen, and Burgesses," "Council," and "Borough Fund," have respectively the same Meaning as in the Acts for the Regulation of Municipal Corporations, and shall also respectively mean, include, and apply to any Royal Borough, Royal Town, or other Town having a Warden, High Bailiff, Borough Reeve, or other Chief Officer, and Burgesses or Inhabitants, however designated, associated with him in the Government or Management thereof, or any Town or Place having a Governing Body therein in the Nature of a Corporation or otherwise, and to the Chief Officers and Governing Bodies of such Boroughs, Towns, and Places, and to the Funds and Property under the Management of or at the Disposal of such Chief Officers and Governing Bodies; the Expression "Improvement Act" means an Act for regulating and managing the Police of, and for draining, cleansing, paving, lighting, watching, and improving a Place, and an Act for any of those Purposes; the Word "Owner" includes any Person receiving the Rents of the Property in respect of which that Word is used from the Occupier of such Property on his own Account, or as Trustee or Agent for any other Person, or as Receiver or Sequestrator appointed by the Court of Chancery or under any Order thereof, or who would receive the same if such Property were let to a Tenant; the Word "Premises" extends to all Messuages, Lands, or Tenements, whether open or inclosed, whether built on or not, and whether public or private; the Word "Parish" includes every Township or Place separately maintaining its Poor, or separately maintaining its own Highways; the Expression "Quarter Sessions" means the Court of General or Quarter Sessions of the Peace for a County, Riding, or Division of a County, City, or Borough; the Word "Person," and Words applying to any Person or Individual, apply to and include Corporations, whether aggregate or sole; and the Expression "Two Justices" shall, in addition to its ordinary Signification, mean One Stipendiary or Police Magistrate acting in any Police Court for the District.

PART

Nuisances Removal and Diseases Prevention Acts Consolidation and Amendment.

PART I.

PART I. *Constitution of Local Authority, Expenses, Description of Nuisances, and Powers of Entry.*

And with respect to the Constitution of the Local Authority for the Execution of this Act, the Expenses of its Execution, the Description of Nuisances that may be dealt with under it, and the Powers of Entry for the Purposes of the Act, be it enacted thus:

The Local Authority to execute this Act in Places as herein stated.

III. The following Bodies shall respectively be the Local Authority to execute this Act in the Districts hereunder stated in *England:*

In any Place within which the Public Health Act is or shall be in force, the Local Board of Health:

In any other Place wherein a Council exists or shall exist, the Mayor, Aldermen, and Burgesses by the Council, except in the City of *London* and the Liberties thereof, where the Local Authority shall be the Commissioners of Sewers for the Time being; and except in the City of *Oxford* and Borough of *Cambridge*, where the Local Authority shall be the Commissioners acting in execution of the Local Improvement Acts in force respectively in the said City and Borough:

In any Place in which there is no Local Board of Health or Council, and where there are or shall be Trustees or Commissioners under an Improvement Act, such Trustees or Commissioners:

In any Place within which there is no such Local Board of Health nor Council, Body of Trustees, or Commissioners, and where there is or shall be a Board for the Repair of the Highways of such Place, that Board:

In any Place where there is no such Local Board of Health, Council, Body of Trustees, or Commissioners, nor Highway Board, a Committee for carrying this Act into execution, by the Name of "The Nuisances Removal Committee," of which the Surveyor or Surveyors of Highways for the Time being of such Place shall be *ex officio* a Member or Members, may be annually chosen by the Vestry on the same Day as the Overseers or Surveyors of Highways, and the first of such Committees may be chosen at a Vestry to be specially held for that Purpose; and such Committee may consist of such Number of Members as the Vestry shall determine, not being more than Twelve, exclusive of such Surveyor or Surveyors, and of such Committee Three shall be a Quorum:

In any Place wherein there is no such Local Board of Health, Council, Body of Trustees or Commissioners, Highway Board or

PART I. *Constitution of Local Authority, Expenses, Description of Nuisances, and Powers of Entry.*

or Committee appointed as aforesaid, and wherein there is or shall be a Board of Inspectors for Lighting and Watching under the Act 3 & 4 W. 4. c. 90., that Board with the Surveyors of Highways:

In any Place in which there is no such Local Board of Health, Council, Body of Trustees, or Commissioners, nor Highway Board, nor Committee appointed as aforesaid, nor Board of Inspectors for Lighting and Watching, the Guardians and Overseers of the Poor and the Surveyors of the Highways in and for such Place.

As to filling up Vacancies.

IV. On any Vacancy in such Nuisances Removal Committee arising from Death, Change of Residence or otherwise, Notice shall be given by the Committee to the Churchwardens, who shall forthwith summon a Meeting of the Vestry, and fill up such Vacancy by Election; and until such Vacancy is filled up the remaining Members of the Committee may act in all respects as if their Number was complete.

Power to Local Authority to appoint Committees.

V. The Local Authority may appoint any Committee of their own Body to receive Notices, take Proceedings, and in all or certain specified respects execute this Act, whereof Two shall be a Quorum; and such Local Authority, or their Committee, may, in each particular Case, by Order in Writing under the Hand of the Chairman of such Body or Committee, empower any Officer or Person to make Complaints and take Proceedings on their Behalf.

As to the Execution of this Act in Extra-parochial Places.

VI. In Extra-parochial Places not comprised within the Jurisdiction of any of the Local Authorities aforesaid, and having a Population of not less than Two hundred Persons, the Local Authority for the Execution of this Act shall be a Nuisances Removal Committee, elected annually by the Householders within the Extra-parochial Place:

The First Election of such Committee shall take place at a Meeting of such Householders summoned for that Purpose by the Churchwardens of the adjacent Place having the largest common Boundary with such Extra-parochial Place; and

Subsequent Elections shall be held annually on some Day in *Easter* Week at Meetings summoned by the Chairman of the Local Authority for the Year preceding:

Extra-parochial Places not so comprised as aforesaid, and having a Population of less than Two hundred Persons, shall for the Purpose

Purpose of this Act be attached to and form Part of the adjacent Place having the largest common Boundary with the Extra-parochial Place, and Notice of Vestry Meetings for the Election of a Local Authority under and for the Purposes of this Act shall be given in such Extra-parochial Places, and the Householders within such Places may attend such Vestry Meetings, and vote on such Elections.

As to defraying Expenses of executing this Act.

VII. All Charges and Expenses incurred by the Local Authority in executing this Act, and not recovered, as by this Act provided, may be defrayed as follows; to wit,

Out of General District Rates, where the Local Authority is a Local Board of Health;

Out of the Borough Fund or Borough Rate, where the Local Authority is the Mayor, Aldermen, and Burgesses by the Council, or if there be an Improvement Act for the Borough administered by the Council, then out of Rates levied thereunder applicable to the Purposes of such Improvement Act; or in the City of *London* and the Liberties thereof, any Rates or Funds administered by the Commissioners of Sewers for the said City and Liberties;

Provided always, that in the City of *Oxford* and Borough of *Cambridge* such Expenses shall be deemed annual Charges and Expenses of cleansing the Streets of the said City and Borough respectively, and shall be so payable;

Out of the Rates levied for Purposes of Improvement under any Improvement Act, where the Local Authority is a Body of Trustees or Commissioners acting in execution of the Powers of such an Act;

Out of Highway Rates, or any Fund applicable in aid or in lieu thereof, where the Local Authority is a Highway Board, or a Nuisances Removal Committee;

Out of the Rates for Lighting and Watching, where the Local Authority is a Board of Inspectors appointed for Lighting and Watching;

And if there be no such Rates or Funds, or if the Local Authority be the Guardians and Surveyors of Highways, then out of the Rates or Funds applicable to the Relief of the Poor of the Parish or Place wherein such Rates or Funds are collected or arise, if such Parish or Place be co-extensive with the District within which the Charges and Expenses are incurred, but if such Parish or Place be now or hereafter shall be partly comprised within and

 partly

PART I. *Constitution of Local Authority, Expenses, Description of Nuisances, and Powers of Entry.*

partly without the Limits of a Place where a Local Authority, other than a Highway Board, Nuisance Removal Committee, Inspectors of Watching and Lighting, and Surveyors or Guardians and Surveyors, exists or shall exist, all the Charges and Expenses incurred in the District comprising that Part of the Parish or Place which is excluded from such Limits shall be defrayed out of any Highway Rate or Rates, or any Funds applicable in lieu thereof, collected or raised within the Part so excluded; and if there be more than One Highway Rate collected within such District, the Local Authority shall settle the Proportion in which the respective Parties or Places liable thereto shall bear such Charges and Expenses; and if any Portion of such excluded Part be exempt from such Highway Rate or Rates, then all the Charges and Expenses incurred in the whole of such excluded Part shall be defrayed out of any District Police Rate or other Rate which may by the Act 12 & 13 Vict. Cap. 65. be raised and assessed upon such excluded Part:

And when the Local Authority has not Control of such Rates or Funds, the Officer or Person having the Custody or Control thereof shall pay over the Amount to the Local Authority, on the Order of Two Justices, directed to such Officer or Person; and on Neglect or Refusal to pay the Sum specified in such Order for Six Days after the Service thereof, the same may, by Warrant under the Hands of the same or any Two Justices, be levied by Distress and Sale of the Goods and Chattels of the Officer or Person in default, and such Levy shall include the Costs of such Distress and Sale:

In Extra-parochial Places having a Population of not less than Two hundred Persons, out of a Rate assessed by the Local Authority on all such Property in the Place as would be assessable to Highway Rate if such Rate were levied therein:

In Extra-parochial Places having a Population of less than Two hundred Persons, out of a similar Rate assessed by the Surveyor of Highways of the adjacent Place having the largest common Boundary with such Extra-parochial Place:

And the Local Authority in the First Case, and the Surveyor of Highways in the Second, may levy and collect the Sums so assessed, in the same Manner, and with the same Remedies in case of any Default in Payment thereof, and with the same Right of Appeal against the Amount of such Assessment reserved to the Person assessed, as are provided by the Law in force for the Time being with regard to Rates for the Repair of Highways.

VIII. The

VIII. The Word "Nuisances" under this Act shall include—

What are deemed Nuisances under this Act.

Any Premises in such a State as to be a Nuisance or injurious to Health:

Any Pool, Ditch, Gutter, Watercourse, Privy, Urinal, Cesspool, Drain, or Ashpit so foul as to be a Nuisance or injurious to Health:

Any Animal so kept as to be a Nuisance or injurious to Health:

Any Accumulation or Deposit which is a Nuisance or injurious to Health:

Provided always, that no such Accumulation or Deposit as shall be necessary for the effectual carrying on of any Business or Manufacture shall be punishable as a Nuisance under this Section, when it is proved to the Satisfaction of the Justices that the Accumulation or Deposit has not been kept longer than is necessary for the Purposes of such Business or Manufacture, and that the best available Means have been taken for protecting the Public from Injury to Health thereby.

Power to Local Authority to appoint a Sanitary Inspector, and allow him a proper Salary.

IX. The Local Authority shall, for the Purposes of this Act, appoint or employ, or join with other Local Authorities in appointing or employing, a Sanitary Inspector or Inspectors, and may appoint a convenient Place for his or their Office, and may allow to every such Person on account of his Employment a proper Salary or Allowance; and where Local Authorities join in such Appointment or Employment they may apportion among themselves the Payment of such Salary or Allowance: Provided always, that where the Local Authority has already appointed an Officer who executes the Duties of such Inspector under any Improvement Act, it shall not be necessary to appoint any other Inspector under this Act, but the Inspector acting in execution of the Improvement Act shall have all the Powers, Authorities, and Privileges granted to any Inspector appointed under this Act.

Notice of Nuisances to be given to Local Authority, &c. to ground Proceedings.

X. Notice of Nuisance may be given to the Local Authority by any Person aggrieved thereby, or by any of the following Persons; the Sanitary Inspector or any paid Officer under the said Local Authority; Two or more Inhabitant Householders of the Parish or Place to which the Notice relates; the Relieving Officer of the Union or Parish; any Constable or any Officer of the Constabulary or Police Force of the District or Place; and in case the Premises be a Common Lodging House, any Person appointed for the Inspection of Common Lodging Houses; and the Local Authority may take Cognizance of any such Nuisance after Entry made as herein-after provided, or in conformity with any Improvement Act under which the Inspector has been appointed.

XI. The

PART I. *Constitution of Local Authority, Expenses, Description of Nuisances, and Powers of Entry.*

Power of Entry to Local Authority or their Officer.

XI. The Local Authority shall have Power of Entry for the following Purposes of this Act, and under the following Conditions:—

1. To ground Proceedings.

For this Purpose, when they or any of their Officers have reasonable Grounds for believing that a Nuisance exists on any private Premises, Demand may be made by them or their Officer, on any Person having Custody of the Premises, of Admission to inspect the same, at any Hour between Nine in the Morning and Six in the Evening; and if Admission be not granted, any Justice having Jurisdiction in the Place may, on Oath made before him of Belief in the Existence of the Nuisance, and after reasonable Notice of the intended Application to such Justice being given in Writing to the Party on whose Premises the Nuisance is believed to exist, by Order under his Hand require the Person having the Custody of the Premises to admit the Local Authority or their Officer; and if no Person having Custody of the Premises can be discovered, any such Justice may and shall, on Oath made before him of Belief in the Existence of such Nuisance, and of the Fact that no Person having Custody of the Premises can be discovered, by Order under his Hand authorize the Local Authority or their Officers to enter the Premises between the Hours aforesaid.

2. To examine Premises where Nuisances exist, to ascertain the Course of Drains, and to execute or inspect Works ordered by Justices to be done under this Act

For these Purposes, whenever, under the Provisions of this Act, a Nuisance has been ascertained to exist, or when an Order of Abatement or Prohibition under this Act has been made, or when it becomes necessary to ascertain the Course of a Drain, the Local Authority may enter on the Premises, by themselves or their Officers, between the Hours aforesaid, until the Nuisance shall have been abated, or the Course of the Drain shall have been ascertained, or the Works ordered to be done shall have been completed, as the Case may be.

3. To remove or abate a Nuisance in case of Noncompliance with or Infringement of the Order of Justices, or to inspect or examine any Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour, under the Powers and for the Purposes of this Act.

For this Purpose the Local Authority or their Officer may from Time to Time enter the Premises where the Nuisance exists, or the Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour is found, at all reasonable Hours, or at all Hours during which Business is carried on on such Premises, without Notice.

PART II.

PART II. *With regard to Removal of Nuisances.*

With regard to the Removal of Nuisances, be it enacted thus:

Proceedings by Local Authority before Justices in the Case of Nuisances likely to recur, &c.

XII. In any Case where a Nuisance is so ascertained by the Local Authority to exist, or where the Nuisance in their Opinion did exist at the Time when the Notice was given, and, although the same may have been since removed or discontinued, is in their Opinion likely to recur or to be repeated on the same Premises or any Part thereof, they shall cause Complaint thereof to be made before a Justice of the Peace; and such Justice shall thereupon issue a Summons requiring the Person by whose Act, Default, Permission, or Sufferance the Nuisance arises or continues, or if such Person cannot be found or ascertained, the Owner or Occupier of the Premises on which the Nuisance arises, to appear before any Two Justices, in Petty Sessions assembled at their usual Place of Meeting, who shall proceed to inquire into the said Complaint; and if it be proved to their Satisfaction that the Nuisance exists, or did exist at the Time when the Notice was given, or, if removed or discontinued since the Notice was given, that it is likely to recur or to be repeated, the Justices shall make an Order in Writing under their Hands and Seals on such Person, Owner, or Occupier for the Abatement or Discontinuance and Prohibition of the Nuisance as herein-after mentioned, and shall also make an Order for the Payment of all Costs incurred up to the Time of hearing or making the Order for Abatement or Discontinuance or Prohibition of the Nuisance.

If proved to Justices that Nuisance exists, &c., they shall issue Order for Abatement, &c.

Justices Order for Abatement.

XIII. By their Order the Justices may require the Person on whom it is made to provide sufficient Privy Accommodation, Means of Drainage or Ventilation, or to make safe and habitable, or to pave, cleanse, whitewash, disinfect, or purify the Premises which are a Nuisance or injurious to Health, or such Part thereof as the Justices may direct in their Order, or to drain, empty, cleanse, fill up, amend, or remove the injurious Pool, Ditch, Gutter, Watercourse, Privy, Urinal, Cesspool, Drain, or Ashpit which is a Nuisance or injurious to Health, or to provide a Substitute for that complained of, or to carry away the Accumulation or Deposit which is a Nuisance or injurious to Health, or to provide for the cleanly and wholesome keeping of the Animal kept so as to be a Nuisance or injurious to Health, or if it be proved to the Justices to be impossible so to provide, then to remove the Animal, or any or all of these Things (according to the Nature of the Nuisance), or to do such other Works or Acts as are necessary to abate the Nuisance complained of, in such Manner and within such Time as in such Order shall be

PART II. *With regard to Removal of Nuisances.*

Prohibitive Order against future Nuisance.

be specified; and if the Justices are of opinion that such or the like Nuisance is likely to recur, the Justices may further prohibit the Recurrence of it, and direct the Works necessary to prevent such Recurrence, as the Case may in the Judgment of such Justices require; and if the Nuisance proved to exist be such as to render a House or Building, in the Judgment of the Justices, unfit for Human Habitation, they may prohibit the using thereof for that Purpose until it is rendered fit for that Purpose in the Judgment of the Justices, and on their being satisfied that it has been rendered fit for such Purpose they may determine their previous Order by another declaring such House, habitable, from the Date of which other Order such House may be let or inhabited.

Penalty for Contravention of Order of Abatement; and of Prohibition.

XIV. Any Person not obeying the said Order for Abatement shall, if he fail to satisfy the Justices that he has used all due Diligence to carry out such Order, be liable for every such Offence to a Penalty of not more than Ten Shillings *per* Day during his Default; and any Person knowingly and wilfully acting contrary to the said Order of Prohibition shall be liable for every such Offence to a Penalty not exceeding Twenty Shillings *per* Day during such contrary Action; and the Local Authority may, under the Powers of Entry given by this Act, enter the Premises to which the Order relates, and remove or abate the Nuisance condemned or prohibited, and do whatever may be necessary in execution of such Order, and charge the Cost to the Person on whom the Order is made as herein-after provided.

Local Authority may enter and remove or abate Nuisance.

Appeal against Order of Prohibition.

XV. Any such Order of Prohibition may be appealed against as provided in this Act.

Appeal against Order of Abatement when structural Works are required.

XVI. When it shall appear to the Justices that the Execution of structural Works is required for the Abatement of a Nuisance, they may direct such Works to be carried out under the Direction or with the Consent or Approval of any Public Board, Trustees, or Commissioners having Jurisdiction in the Place in respect of such Works; and if within Seven Days from the Date of the Order the Person on whom it is made shall have given Notice to the Local Authority of his Intention to appeal against it as provided in this Act, and shall have entered into Recognizances to try such Appeal as provided by this Act, and shall appeal accordingly, no Liability to Penalty shall arise, nor shall any Work be done nor Proceedings taken under such Order, until after the Determination of such Appeal, unless such Appeal cease to be prosecuted.

XVII. When-

XVII. Whenever it appears to the Satisfaction of the Justices that the Person by whose Act or Default the Nuisance arises, or the Owner or Occupier of the Premises, is not known or cannot be found, then such Order may be addressed to and executed by such Local Authority, and the Cost defrayed out of the Rates or Funds applicable to the Execution of this Act.

If Person causing Nuisance cannot be found, Local Authority to execute Order at once.

XVIII. Any Matter or Thing removed by the Local Authority in pursuance of this Enactment may be sold by Public Auction, after not less than Five Days Notice by Posting Bills distributed in the Locality, unless in Cases where the Delay would be prejudicial to Health, when the Justices may direct the immediate Removal, Destruction, or Sale of the Matter or Thing; and the Money arising from the Sale retained by the Local Authority, and applied in Payment of all Expenses incurred under this Act with reference to such Nuisance, and the Surplus, if any, shall be paid, on Demand, by the Local Authority, to the Owner of such Matter or Thing.

Manure, &c. to be sold.

XIX. All reasonable Costs and Expenses from Time to Time incurred in making a Complaint, or giving Notice or in obtaining an Order of Justices under this Act, or in carrying the same into effect under this Act, shall be deemed to be Money paid for the Use and at the Request of the Person on whom the Order is made; or if the Order be made on the Local Authority, or if no Order be made, but the Nuisance be proved to have existed when the Complaint was made or the Notice given, then of the Person by whose Act or Default the Nuisance was caused; and in case of Nuisances caused by the Act or Default of the Owner of Premises, the said Premises shall be and continue chargeable with such Costs and Expenses, and also with the Amount of any Penalties incurred under this Act, until the same be fully discharged, provided that such Costs and Expenses shall not exceed in the whole One Year's Rackrent of the Premises; and such Costs and Expenses and Penalties, together with the Charges of suing for the same, may be recovered in any County or Superior Court, or, if the Local Authority think fit, before any Two Justices of the Peace; and the said Justices shall have Power to divide such Costs, Expenses, and Penalties between the Persons by whose Act or Default the Nuisance arises, in such Manner as they shall consider reasonable; and if it appear to them that a Complaint made under this Act is frivolous or unfounded, they may order the Payment by the Local Authority or Person making the Complaint of the Costs incurred by the Person against whom the Complaint is made, or any Part thereof.

Costs and Expenses of Works to be paid by Person on whom Order is made, or Owner or Occupier.

XX. Where

PART II. *With regard to Removal of Nuisances.*

Proceedings before Justices to recover Expenses.

XX. Where any Costs, Expenses, or Penalties are due under or in consequence of any Order of Justices made in pursuance of this Act as aforesaid, any Justice of the Peace, upon the Application of the Local Authority, shall issue a Summons requiring the Person from whom they are due to appear before Two Justices at a Time and Place to be named therein; and upon Proof to the Satisfaction of the Justices present that any such Costs, Expenses, or Penalties are so due, such Justices, unless they think fit to excuse the Party summoned upon the Ground of Poverty or other special Circumstances, shall, by Order in Writing under their Hands and Seals, order him to pay the Amount to the Local Authority at once, or by such Instalments as the Justices think fit, together with the Charges attending such Application and the Proceedings thereon; and if the Amount of such Order, or any Instalment thereof, be not paid within Fourteen Days after the same is due, the same may, by Warrant of the said or other Justices, be levied by Distress and Sale.

Surveyors of Highways to cleanse Ditches, &c. paying Owners, &c. for Damages.

XXI. All Surveyors and District Surveyors may make, scour, cleanse, and keep open all Ditches, Gutters, Drains, or Watercourses in and through any Lands or Grounds adjoining or lying near to any Highway, upon paying the Owner or Occupier of such Lands or Grounds, provided they are not Waste or Common, for the Damages which he shall thereby sustain, to be settled and paid in such Manner as the Damages for getting Materials in inclosed Lands or Grounds are directed to be settled and paid by the Law in force for the Time being with regard to Highways.

Power to Local Authority to cover and improve open Ditches, &c.

XXII. Whenever any Ditch, Gutter, Drain, or Watercourse used or partly used for the Conveyance of any Water, Filth, Sewage, or other Matter from any House, Buildings, or Premises is a Nuisance within the Meaning of this Act, and cannot, in the Opinion of the Local Authority, be rendered innocuous, without the laying down of a Sewer or of some other Structure along the same or Part thereof or instead thereof, such Local Authority shall and they are hereby required to lay down such Sewer or other Structure, and to keep the same in good and serviceable Repair, and they are hereby declared to have the same Powers as to entering Lands for the Purposes thereof, and to be entitled to recover the same Penalties in case of Interference, as are contained in the Sixty-seventh and Sixty-eighth Sections of the Act passed in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Highways in*

in England; and such Local Authority are hereby authorized and empowered to assess every House, Building, or Premises then or at any Time thereafter using for the Purposes aforesaid the said Ditch, Gutter, Drain, Watercourse, Sewer, or other Structure, to such Payment, either immediate or annual, or distributed over a Term of Years, as they shall think just and reasonable, and, after Fourteen Days Notice at the least left on the Premises so assessed, to levy and collect the Sum and Sums so assessed in the same Manner, and with the same Remedies in case of Default in Payment thereof, as Highway Rates are by the Law in force for the Time being leviable and collectable, and with the same Right and Power of Appeal against the Amount of such Assessment reserved to the Person or Persons so assessed as by the Law for the Time being in force shall be given against any Rate made for the Repair of the Highways; and the Provisions contained in this Section shall be deemed to be Part of the Law relating to Highways in *England:* Provided always, that where such Ditch, Gutter, Drain, or Watercourse shall, as to Parts thereof, be within the Jurisdiction of different Local Authorities, this Enactment shall apply to each Local Authority only as to so much of the Works hereby required, and the Expenses thereof, as is included within the respective Jurisdiction of that Authority: Provided also, that such Assessment shall in no Case exceed a Shilling in the Pound on the Assessment to the Highway Rate, if any.

Penalty for causing Water to be corrupted by Gas Washings.

XXIII. Any Person or Company engaged in the Manufacture of Gas who shall at any Time cause or suffer to be brought or to flow into any Stream, Reservoir, or Aqueduct, Pond or Place for Water, or into any Drain communicating therewith, any Washing or other Substance produced in making or supplying Gas, or shall wilfully do any Act connected with the making or supplying of Gas whereby the Water in any such Stream, Reservoir, Aqueduct, Pond or Place for Water shall be fouled, shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for in Superior Courts within Six Months.

XXIV. Such Penalty may be recovered, with full Costs of Suit, in any of the Superior Courts, by the Person into whose Water such Washing or other Substance shall be conveyed or shall flow, or whose Water shall be fouled by any such Act as aforesaid, or if there be no such Person, or in default of Proceedings by such Person, after Notice to him from the Local Authority of their Intention to proceed for such Penalty, by the Local Authority; but such Penalty shall not be recoverable unless it be sued for during the Continuance of the Offence, or within Six Months after it shall have ceased.

PART II. *With regard to Removal of Nuisances.*

Daily Penalty during the Continuance of the Offence.

XXV. In addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not), the Person or Company so offending shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day during which such Washing or other Substance shall be brought or shall flow as aforesaid, or during which the Act by which such Water shall be fouled shall continue, after the Expiration of Twenty-four Hours from the Time when Notice of the Offence shall have been served on such Person or Company by the Local Authority, or the Person into whose Water such Washing or other Substance shall be brought or flow or whose Water shall be fouled thereby, and such Penalty shall be paid to the Parties from whom such Notice shall proceed; and all Monies recovered by a Local Authority under this or the preceding Section shall, after Payment of any Damage caused by the Act for which the Penalty is imposed, be applied towards defraying the Expenses of executing this Act.

Penalty on Sale of unwholesome Meat, &c.

XXVI. The Sanitary Inspector may at all reasonable Times inspect and examine any Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour exposed for Sale, or in the course of or on their Way to slaughtering, dressing, or Preparation for Sale or Use, or landed from any Ship or Vessel in any Port in *England;* and in case any such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour appear to him to be unfit for such Food the same may be seized; and if it appear to a Justice that any such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour is unfit for the Food of Man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for Sale or used for such Food; and the Person to whom such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour belongs, or in whose Custody the same is found, shall be liable to a Penalty not exceeding Ten Pounds for every Carcase, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, or for the Parcel of Fruit, Vegetables, Corn, Bread, or Flour so found.

As to Nuisances arising in Cases of noxious Trades, Businesses, Processes, or Manufactures.

XXVII. If any Candle House, Melting House, Melting Place, or Soaphouse, or any Slaughter-house, or any Building or Place for boiling Offal or Blood, or for boiling, burning, or crushing Bones, or any Manufactory, Building, or Place used for any Trade, Business, Process, or Manufacture causing Effluvia, be at any Time certified to the Local Authority by any Medical Officer, or any Two legally qualified Medical Practitioners, to be a Nuisance or injurious to the Health of the Inhabitants of the Neighbourhood, the Local Authority shall direct Complaint to be made before any Justice, who may summon

summon before any Two Justices in Petty Sessions assembled at their usual Place of Meeting the Person by or in whose Behalf the Work so complained of is carried on, and such Justices shall inquire into such Complaint, and if it shall appear to such Justices that the Trade or Business carried on by the Person complained against is a Nuisance, or causes any Effluvia injurious to the Health of the Inhabitants of the Neighbourhood, and that such Person shall not have used the best practicable Means for abating such Nuisance or preventing or counteracting such Effluvia, the Person so offending (being the Owner or Occupier of the Premises, or being a Foreman or other Person employed by such Owner or Occupier,) shall, upon a summary Conviction for such Offence, forfeit and pay a Sum of not more than Five Pounds nor less than Forty Shillings, and upon a Second Conviction for such Offence the Sum of Ten Pounds, and for each subsequent Conviction a Sum double the Amount of the Penalty imposed for the last preceding Conviction, but the highest Amount of such Penalty shall not in any Case exceed the Sum of Two hundred Pounds: Provided always, that the Justices may suspend their final Determination in any such Case, upon Condition that the Person so complained against shall undertake to adopt, within a reasonable Time, such Means as the said Justices shall judge to be practicable and order to be carried into effect for abating such Nuisance, or mitigating or preventing the injurious Effects of such Effluvia, or shall give Notice of Appeal in the Manner provided by this Act, and shall enter into Recognizances to try such Appeal, and shall appeal accordingly: Provided always, that the Provisions herein-before contained shall not extend or be applicable to any Place without the Limits of any City, Town, or populous District.

Reference to Superior Court at the Option of the Party complained against.

XXVIII. Provided also, That if, upon his Appearance before such Justices, the Party complained against object to have the Matter determined by such Justices, and enter into Recognizances, with sufficient Sureties, to be approved by the Justices, to abide the Event of any Proceedings at Law or in Equity that may be had against him on account of the Subject Matter of Complaint, the Local Authority shall thereupon abandon all Proceedings before the Justices, and shall forthwith take Proceedings at Law or in Equity in Her Majesty's Superior Courts for preventing or abating the Nuisance complained of.

On Certificate of Medical Officer to Local Authority that House is overcrowded, Proceedings may be taken to abate the same.

XXIX. Whenever the Medical Officer of Health, if there be One, or if none, whenever Two qualified Medical Practitioners, shall certify to the Local Authority that any House is so overcrowded as to be dangerous or prejudicial to the Health of the Inhabitants, and the Inhabitants shall consist of more than One Family, the Local Authority shall cause Proceedings to be taken before the Justices to abate such overcrowding, and the Justices shall thereupon make such Order as they

PART II. *With regard to Removal of Nuisances.*

they may think fit, and the Person permitting such overcrowding shall forfeit a Sum not exceeding Forty Shillings.

Local Authority to order Costs of Prosecutions to be paid out of the Rates.

XXX. The Local Authority may, within the Area of their Jurisdiction, direct any Proceedings to be taken at Law or in Equity in Cases coming within the Purview of this Act, and may order Proceedings to be taken for the Recovery of any Penalties, and for the Punishment of any Persons offending against the Provisions of this Act, or in relation to Appeals under this Act, and may order the Expenses of all such Proceedings to be paid out of the Rates or Funds administered by them under this Act.

PART III. *As to Procedure under this Act.*

PART III.

And with regard to Procedure under this Act, be it enacted, That

Service of Notices, Summonses, and Orders.

XXXI. Notices, Summonses, and Orders under this Act may be served by delivering the same to or at the Residence of the Persons to whom they are respectively addressed, and where addressed to the Owner or Occupier of Premises they may also be served by delivering the same or a true Copy thereof to some Person upon the Premises, or if there be no Person upon the Premises who can be so served, by fixing the same upon some conspicuous Part of the Premises, or if the Person shall reside at a Distance of more than Five Miles from the Office of the Inspector then by a registered Letter through the Post.

Proof of Resolutions of Local Authority.

XXXII. Copies of any Orders or Resolutions of the Local Authority or their Committee, purporting to be signed by the Chairman of such Body or Committee, shall, unless the contrary be shown, be received as Evidence thereof, without Proof of their meeting, or of the official Character or Signature of the Person signing the same.

As to Proceedings taken against several Persons for the same Offence.

XXXIII. Where Proceedings under this Act are to be taken against several Persons in respect of One Nuisance caused by the joint Act or Default of such Persons, it shall be lawful for the Local Authority to include such Persons in One Complaint, and for the Justices to include such Persons in One Summons, and any Order made in such a Case may be made upon all or any Number of the Persons included in the Summons, and the Costs may be distributed as to the Justices may appear fair and reasonable.

One or more joint Owners or Occupiers may be proceeded against alone.

XXXIV. In case of any Demand or Complaint under this Act to which Two or more Persons, being Owners or Occupiers of Premises, or partly the one or partly the other, may be answerable jointly or in common

common or severally, it shall be sufficient to proceed against any One or more of them without proceeding against the others or other of them; but nothing herein contained shall prevent the Parties so proceeded against from recovering Contribution in any Case in which they would now be entitled to Contribution by Law.

Designation of "Owner" or "Occupier."

XXXV. Whenever, in any Proceeding under this Act, whether written or otherwise, it shall become necessary to mention or refer to the Owner or Occupier of any Premises, it shall be sufficient to designate him as the "Owner" or "Occupier" of such Premises, without Name or further Description.

Penalty for obstructing Execution of this Act.

XXXVI. Whoever refuses to obey an Order of Justices under this Act for Admission on Premises of the Local Authority or their Officers, or wilfully obstructs any Person acting under the Authority or employed in the Execution of this Act, shall be liable for every such Offence to a Penalty not exceeding Five Pounds.

Penalty on Occupier obstructing Owner.

XXXVII. If the Occupier of any Premises prevent the Owner thereof from obeying or carrying into effect the Provisions of this Act, any Justice to whom Application is made in this Behalf shall by Order in Writing require such Occupier to desist from such Prevention, or to permit the Execution of the Works required to be executed, provided that such Works appear to such Justice to be necessary for the Purpose of obeying or carrying into effect the Provisions of this Act; and if within Twenty-four Hours after the Service of such Order the Occupier against whom it is made do not comply therewith, he shall be liable to a Penalty not exceeding Five Pounds for every Day afterwards during the Continuance of such Non-compliance.

Penalties and Expenses recoverable under 11 & 12 Vict. c. 43.

XXXVIII. Penalties imposed by this Act for Offences committed and Sums of Money ordered to be paid under this Act may be recovered by Persons thereto competent in *England* according to the Provisions of the Act of the Eleventh and Twelfth Years of the present Reign, Chapter Forty-three; and all Penalties recovered by the Local Authority under this Act shall be paid to them, to be by them applied in aid of their Expenses under this Act.

Proceedings not to be quashed for Want of Form.

XXXIX. No Order, nor any other Proceeding, Matter, or Thing done or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside for Want of Form, nor shall any Order, nor any other Proceeding, Matter, or Thing done or transacted in relation to the Execution of this Act, be removed

 or

PART III. *As to Procedure under this Act.*

or removable by Certiorari, or by any other Writ or Process whatsoever, into any of the Superior Courts; and Proceedings under this Act against several Persons included in One Complaint shall not abate by reason of the Death of any among the Persons so included, but all such Proceedings may be carried on as if the deceased Person had not been originally so included.

Appeals under this Act to be to Quarter Sessions.

XL. Appeals under this Act shall be to the Court of Quarter Sessions held next after the making of the Order appealed against; but the Appellant shall not be heard in support of the Appeal unless within Fourteen Days after the making of the Order appealed against he give to the Local Authority Notice in Writing stating his Intention to bring such Appeal, together with a Statement in Writing of the Grounds of Appeal, and shall within Two Days of giving such Notice enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the said Court, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Court or any Adjournment thereof; and the said Court, upon hearing and finally determining the Matter of the Appeal, may, according to its Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and its Determination in or concerning the Premises shall be conclusive and binding on all Persons to all Intents or Purposes whatsoever: Provided always, that if there be not Time to give such Notice and enter into such Recognizance as aforesaid, then such Appeal may be made to, and such Notice, Statement, and Recognizance be given and entered into for, the next Sessions at which the Appeal can be heard; provided also, that on the Hearing of the Appeal no Grounds of Appeal shall be gone into or entertained other than those set forth in such Statement as aforesaid; provided also, that in any Case of Appeal the Court of Quarter Sessions may, if they think fit, state the Facts specially for the Determination of Her Majesty's Court of Queen's Bench, in which Case it shall be lawful to remove the Proceedings, by Writ of Certiorari or otherwise, into the said Court of Queen's Bench.

Forms to be used as in Schedule.

XLI. The Forms contained in the Schedule to this Act annexed, or any Forms to the like Effect, varied as Circumstances may require, may be used for Instruments under this Act, and shall be sufficient for the Purpose intended.

As to Protection of Local Authority

XLII. The Local Authority, and any Officer or Person acting under the Authority and in execution or intended Execution of this Act,

Act, shall be entitled to such Protection and Privilege in Actions and Suits, and such Exemption from personal Liability, as are granted to Local Boards of Health and their Officers by the Law in force for the Time being.

and its Officers.

XLIII. Nothing in this Act shall be construed to affect the Provisions of any Local Act as to Matters included in this Act, nor to impair, abridge, or take away any Power, Jurisdiction, or Authority which may at any Time be vested in any Commissioners of Sewers or of Drainage, or to take away or interfere with any Course of Proceedings which might be resorted to or adopted by such Commissioners if this Act had not passed, nor to impair any Power of abating Nuisances at Common Law, nor any Jurisdiction in respect of Nuisances that may be possessed by any Authority under the Act intituled *An Act to abate the Nuisances arising from the Smoke of Furnaces in the Metropolis, and from Steam Vessels above* London Bridge, or the Common Lodging Houses Acts, the Act for the Regulation of Municipal Corporations, the Public Health Act, or any Improvement Act respectively, or any Acts incorporated with such Acts, and Authorities may respectively proceed for the Abatement of Nuisances, or in respect of any other Matter or Thing herein-before provided or referred to, either under the Acts mentioned in this Section or any other Act conferring Jurisdiction in respect of the Nuisances referred to in this Act, or any Byelaws framed under any such Act, as they may think fit; and the Local Authorities constituted under and for the Purposes of the Common Lodging House Acts, 1851 and 1853, shall for the Purposes of those Acts have all the Powers of Local Authorities under this Act.

Act not to impair Jurisdiction of Sewers Commissioners, or Common Law Remedies for Nuisance, nor Jurisdiction of Local Authority as to the Nuisances referred to in this Act.

XLIV. Nothing herein contained shall enable any Local Authority, Surveyor of Highways, or other Person, either with or without any Order of Justices, to injuriously affect the Navigation of any River or Canal, or to divert or diminish any Supply of Water of Right belonging to any such River or Canal; and the Provisions of this Act shall not extend or be construed to extend to Mines of different Descriptions so as to interfere with or obstruct the efficient working of the same, or to the smelting of Ores and Minerals, or to the manufacturing of the Produce of such Ores and Minerals.

Act not to affect Navigation of Rivers or Canals.

XLV. No Power given by this Act shall be exercised in such Manner as to injuriously affect the Supply, Quality, or Fall of Water contained in any Reservoir or Stream, or any Feeders of such Reservoir or Stream, belonging to or supplying any Waterwork established by Act of Parliament, or in Cases where any Company or

Saving as to Rights of Millowners, &c.

PART III. *As to Procedure under this Act.*

or Individual are entitled for their own Benefit to the Use of such Reservoir or Stream, or to the Supply of Water contained in such Feeders, without the Consent in Writing of the Company or Corporation in whom such Waterworks may be vested, or of the Parties so entitled to the Use of such Reservoirs, Streams, and Feeders, and also of the Owners thereof in Cases where the Owners and Parties so entitled are not the same Person.

Short Title.

XLVI. In citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Words "The Nuisances Removal Act for *England*, 1855."

SCHE-

SCHEDULE OF FORMS.

Form (A.)

Order of Justices for Admission of Officer of Local Authority to inspect private Premises.

Whereas [*describe the Local Authority*] have by their Officer [*naming him*] made Application to me *A.B.*, One of Her Majesty's Justices of the Peace having Jurisdiction in and for [*describe the Place*], and the said Officer has made Oath to me of his Belief that a Nuisance, within the Meaning of the Nuisances Removal Act for England, 1855, viz. [*describe Nuisance*], exists on private Premises at [*describe Situation of Premises so as to identify them*], within my Jurisdiction, and Demand of Admission to such Premises for the Inspection thereof has been duly made under the said Act, and refused:

Now, therefore, I the said *A.B.* do hereby require you to admit the said [*name the Local Authority*], [*or* the Officer of the said (*Local Authority*)], for the Purpose of inspecting the said Premises.

Dated this Day of 18 .

A.B.

Form (B.)

Notice of Nuisance.

To the Local Authority (*describing it*).

I [*or* We], the Person aggrieved by the Nuisance herein-after described [*or* the undersigned and described Inhabitant Householders, Sanitary Inspector, *or other Officer* (*describing him*)], do hereby give you Notice, That there exists in or upon the [Dwelling House, Yard, *etc.*, *as the Case may be*], situate at [*giving such Description as may be sufficient to identify the Premises*], in the Parish of in your District, under the Nuisances Removal Act, 1855, the following Nuisance, videlicet, [*describing the Nuisance, as the Case may be; for instance*, a Dwelling House or Building a Nuisance or injurious to Health for Want of a Privy *or* Drain *or* sufficient Means of Ventilation, *or* so dilapidated *or* so filthy as to be a Nuisance or injurious to Health, *or*, *for further instance*, a Ditch *or* Drain so foul as to be a Nuisance or injurious to Health, *or* an Accumulation of a Nuisance or injurious to Health, *&c.*, *or* Swine so kept as to be

be a Nuisance or injurious to Health]; and that such Nuisance is caused by [*naming the Person by whose Act or Default the Nuisance is caused, or* by some Person unknown].

Dated this Day of in the Year of our Lord One thousand eight hundred and

[*Signed by Complainant under Section* 10.]

FORM (C.)

Notice to Owner or Occupier of Entry for Examination.

To the Owner [*or* Occupier, *as the Case may be,*] of [*describe the Premises situate at*] [*insert a Description sufficient to identify the Premises*].

TAKE notice, That, under the Nuisances Removal Act for England, 1855, the [*Local Authority, naming it,*] in whose District under the said Act the above Premises are situate, have received a Notice from [*name Complainant*], stating that in or upon the said Premises [*insert the Cause of Nuisance as set forth in the Notice*].

And further take notice, That after the Expiration of Twenty-four Hours from the Service of this Notice the [*Local Authority*] will cause the said Premises to be entered and examined under the Provisions of the said Act, and if the Cause of Nuisance aforesaid be found still existing, or, though removed or discontinued, be likely to be repeated, a Summons will be issued requiring your Attendance to answer a Complaint which will be made to the Justices for enforcing the Removal of the same, and prohibiting a Repetition thereof, and for recovering the Costs and Penalties that may be incurred thereby.

Dated this Day of in the Year of our Lord One thousand eight hundred and

A. B.,
The Officer appointed by the [*Local Authority*] to take Proceedings under the Nuisances Removal Act for England, 1855.

FORM

FORM (D.)

Summons.

To the Owner *or* Occupier of [*describe Premises*] situate at [*insert such a Description as may be sufficient to identify the Premises*], *or* to *A.B.* of

County of [*or* Borough of *&c. or* District of *or as the Case may be*] to wit.

YOU are required to appear before Two of Her Majesty's Justices of the Peace [*or* One of the Magistrates of the Police Courts of the Metropolis, *or* the Stipendiary Magistrate] of the County [*or other Jurisdiction*] of at the Petty Sessions [*or* Court] holden at on the Day of next, at the Hour of in the noon, to answer the Complaint this Day made to me by [*or* by on behalf of] [*naming the Local Authority, as the Case may be*], that in or upon the Premises above mentioned [*or* in or upon certain Premises situate at No. in the Street in the Parish of *or such other Description or Reference as may be sufficient to identify the Premises*], in their District, under the Nuisances Removal Act for England, 1855, the following Nuisance exists [*describing it, as the Case may be*], and that the said Nuisance is caused by the Act or Default of the Occupier [*or* Owner] of the said Premises, *or* by you *A.B.* [*or in case the Nuisance be discontinued, but likely to be repeated, say*, there existed recently, to wit, on or about the Day of on the Premises, the following Nuisance [*describe the Nuisance*], and that the said Nuisance was caused [*&c.*], and although the same has since the said last-mentioned Day been removed or discontinued, there is reasonable Ground to consider that the same or the like Nuisance is likely to recur on the said Premises].

Given under the Hand of me, *J.P.*, Esquire, One of Her Majesty's Justices of the Peace acting in and for the [*Jurisdiction*] stated in the Margin, *or* One of the Magistrates of the Police Courts of the Metropolis, *or* Stipendiary Magistrate of Day of in the Year of our Lord One thousand eight hundred and

FORM

FORM (E.)

Order of Justices for Removal of Nuisances by Owner, &c.

To the Owner [*or* Occupier] of [*describe the Premises*] situate [*give such Description as may be sufficient to identify the Premises*], *or* to *A.B.* of *or* to [*giving Name of the Local Authority*], or to their Servants or Agents, and to all whom it may concern.

County of [*or* Borough, *&c.* of *or* District of *or as the Case may be.*]

WHEREAS on the Day of Complaint was made before Esquire, One of Her Majesty's Justices of the Peace acting in and for the County [*or other Jurisdiction*] stated in the Margin, [*or* before the undersigned, One of the Magistrates of the Police Courts of the Metropolis, *or as the Case may be,*] by [*or* by on behalf of] [*the Local Authority, naming it, as the Case may be*], that in or upon certain Premises situate at in the District under the Nuisances Removal Act for England, 1855, of the Complainants above named, the following Nuisance then existed [*describing it*]; and that the said Nuisance was caused by the Act or Default of the Owner [*or* Occupier] of the said Premises [*or* was caused by *A.B.*] (*If the Nuisance have been removed say,* the following Nuisance existed on or about [*the Day the Nuisance was ascertained to exist*], and that the said Nuisance was caused, *&c.*, and although the same is now removed, the same or the like Nuisance is likely to recur on the same Premises.)

And whereas the Owner [*or* Occupier] within the Meaning of the said Nuisances Removal Act, 1855, [*or* the said *A.B.*,] hath this Day appeared before us Justices, being Two of Her Majesty's Justices in and for , sitting in Petty Sessions at their usual Place of Meeting [*or* before me, the said Magistrate of the Police Courts of the Metropolis, *or as the Case may be*], to answer the Matter of the said Complaint [*Or in case the Party charged do not appear, say,* And whereas it hath been this Day proved to our [*or* my] Satisfaction that a true Copy of a Summons requiring the Owner [*or* Occupier] of the said Premises [*or* the said *A.B.*] to appear this Day before us [*or* me] hath been duly served according to the said Act:

Now upon Proof here had before us [*or* me] that the Nuisance so complained of doth exist on the said Premises, and that the same is caused by the Act or Default of the Owner [*or* Occupier] of the said

said Premises [*or* by the said *A.B.*,] we [*or* I], in pursuance of the said Act, do order the said Owner [*or* Occupier, *or A.B.*] within [*specify the Time*] from the Service of this Order or a true Copy thereof according to the said Act [*here specify the Works to be done, as, for instance*, to cleanse, whitewash, purify, and disinfect the said Dwelling House; *or, for further instance*, to construct a Privy *or* Drain, *&c.*; *or, for further instance*, to cleanse *or* to cover *or* to fill up the said Cesspool, *&c.*], so that the same shall no longer be a Nuisance or injurious to Health as aforesaid.

[*And if it appear to the Justices that the Nuisance is likely to recur on the Premises say* [And we] [*or* I] being satisfied that, notwithstanding the said Cause or Causes of Nuisances may be removed under this Order, the same is or are likely to recur, do therefore prohibit the said Owner [*or* Occupier, *or A.B.*,] from [*here insert the Matter of the Prohibition, as, for instance*, from using the said House or Building for Human Habitation until the same, in our Judgment, is rendered fit for that Purpose].

And if the above Order for Abatement be not complied with, [*or* if the above Order of Prohibition be infringed,] then we [*or* I] do authorize and require you the said [*Local Authority, naming it*], from Time to Time to enter upon the said Premises, and to do all such Works, Matters, and Things as may be necessary for carrying this Order into full Execution according to the Act aforesaid.

In case the Nuisance were removed before Complaint, say, [Now, upon Proof here had before us that at or recently before the Time of making the said Complaint, to wit, on as aforesaid, the Cause of Nuisance complained of did exist on the said Premises, but that the same hath since been removed, yet, notwithstanding such Removal, we [*or* I] being satisfied that it is likely that the same or the like Nuisance will recur on the said Premises, do hereby prohibit, [*Order of Prohibition*]; and if this Order of Prohibition be infringed, then we [*or* I] [*Order on Local Authority to do Works*].

Given under the Hands and Seals of us, Two of Her Majesty's Justices of the Peace in and for [*or* the Hand and Seal of me, One of the Magistrates of the Police Courts of the Metropolis, *or as the Case may be*], this Day of in the Year of our Lord One thousand eight hundred and

FORM (F.)

Order of Justices for Removal of Nuisance by Local Authority.

To the Town Council, *&c., as the Case may be.*

County, *&c.* to wit. } WHEREAS [*recite Complaint of Nuisance as in last Form*].

And whereas it hath been now proved to our [*or* my] Satisfaction that such Nuisance exists, but that no Owner or Occupier of the Premises, or Person causing the Nuisance, is known *or* can be found [*as the Case may be*]: Now we [*or* I], in pursuance of the said Act, do order the said [*Local Authority, naming it,*] forthwith to [*here specify the Works to be done*].

Given, *&c.*

FORM (G.)

Order to permit Execution of Works by Owners.

County of [*or* Borough of *or* Metropolitan Police District, *or as the Case may be,*] to wit. } WHEREAS Complaint hath been made to me, *E.F.*, Esquire, One of Her Majesty's Justices of the Peace in and for the County [*or* Borough, *&c.*] of [*or* One of the Magistrates of the Police Courts of the Metropolis, *or as the Case may be, or* One of Her Majesty's Justices of the Peace, *as the Case may be,* of the County of], by *A.B.*, Owner within the Meaning of the "Nuisances Removal Act for England, 1855," of certain Premises, to wit, a Dwelling House [*or* Building, *or as the Case may be*], situate at [*insert such a Description of the Premises as may be sufficient to identify them*], in the Parish of in the said County [*or* Borough, *&c.*], that *C.D.*, the Occupier of the said Premises, doth prevent the said *A.B.* from obeying and carrying into effect the Provisions of the said Act, in this, to wit, that he the said *C.D.* [*here describe the Act of Prevention generally according to the Circumstances; for instance thus,* doth refuse to quit the said House, the same having by the Order of Justices been declared unfit for Human Habitation, *or* doth prevent the said *A.B.* from cleansing *or* whitewashing *or* purifying the said Dwelling House, *or* erecting a Privy *or* Drain, *or* breaking an Aperture for Ventilation, *or* cleansing a Drain, Ditch, Gutter, Watercourse, Privy, Urinal, Cesspool, *or* Ashpit which is a Nuisance or injurious to Health]: And whereas the said *C.D.* has been summoned to answer the said Complaint, and has not shown sufficient Cause against the same, and it appears to

to me that [*describe the Act or Works to be done*] is necessary for the Purpose of enabling the said *A.B.* to obey and carry into effect the Provisions of the said Act, I do hereby order that the said *C.D.* do permit the said *A.B.* [*describe the Act or Works to be done*] in the Manner required by the said Act.

Given under my Hand and Seal, this Day of in the Year of our Lord One thousand eight hundred and

E.F. (L.S.)

FORM (H.)

Summons for Nonpayment of Costs, Expenses, or Penalties. Sec. 20.

To [*describe the Person from whom the Costs, Expenses, and Penalties are due*].

County of
or Borough of
or District of
to wit.

You are required to appear before Two of Her Majesty's Justices of the Peace [*or* One of the Magistrates of the Police Courts of the Metropolis, *or* the Stipendiary Magistrates] of the County [*or other Jurisdiction*] of at the Petty Sessions [*or* Court] holden at on the Day of next, at the Hour of in the noon, to answer the Complaint this Day made to me by [*or* by on behalf of] [*naming the Local Authority*], that the Sum of Pounds, being Costs and Expenses incurred by you under and in relation to a certain Complaint touching [*describe the Nuisance*], and an Order of [*describe the Person making the Order*] duly made in pursuance of the Nuisances Removal Act for England, 1855, [*if Penalties are due, add,* and also the Sum of being the Amount of Penalties payable by you for Disobedience of the said Order,] remains unpaid and due from you.

Given under the Hand of me, *J. P.*, Esquire, One of Her Majesty's Justices of the Peace acting in and for the [*Jurisdiction stated in the Margin*] [*or* One of the Magistrates of the Police Courts of the Metropolis, *or* Stipendiary Magistrate of] the Day of in the Year of our Lord One thousand eight hundred and

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FORM

FORM (I.)

Order for Payment of Costs, Expenses, and Penalties. Sec. 20.

To [*name the Person on whom the Order is made*].

County, &c. to wit. } WHEREAS Complaint has been made before us [*or* me] for that [*recite Cause of Complaint.*]

And whereas the said [*naming the Person against whom the Complaint is made*] has this Day appeared before us the said Justices [*or* before me the said Magistrate of the Police Courts of the Metropolis, *or as the Case may be,*] to answer this Matter of the said Complaint: [*Or, in case the Party charged do not appear, say*],

And whereas it has been this Day satisfactorily proved to us [*or* me] that a true Copy of the Summons requiring the said [*naming Person charged*] to appear before us [*or* me] this Day hath been duly served according to the said Act: Now, having heard the Matter of the said Complaint, we [*or* I] do adjudge the said [*naming the Person charged*] to pay forthwith [*or* by Instalments of payable respectively on or before the] to the said [*naming the Person or Local Authority to whom the Costs adjudged are payable*], the Sum of for Costs in this Behalf, and to [*naming the Person or Authority to whom the Expenses are payable*] the Sum of for Expenses in this Behalf, [*if Penalties are due, add,* and the Sum of for Penalties incurred in relation to the Premises,] together with the Sum of being the Charges attending the Application for this Order and Proceedings thereon; and if the said several Sums, amounting in the whole to [*or* if any One of the said Instalments] be not paid within Fourteen Days after the same is due as aforesaid, we [*or* I] hereby order that the same be levied by Distress and Sale of the Goods and Chattels of the said , and in default of sufficient Distress in that Behalf adjudge the said to be imprisoned in the Common Gaol [*or* House of Correction, *as the Case may be,*] at in the said County [*or as the Case may be,*] for the Space of such Time, not exceeding Three Calendar Months, as the Justices may think fit, unless the said several Sums [*or* Sum], and all Costs and Charges of the said Distress [and of the Commitment and carrying of the said to the said House of Correction *or* Common Gaol, *or as the Case may be,*] shall be sooner paid.

Given under our [*or* my] Hands, this Day of in the Year of our Lord One thousand eight hundred and at in the [County, *or as the Case may be,*] aforesaid.

FORM

FORM (K.)

Warrant of Distress. Sec 20.

To the Constable of and to all other Peace Officers in the said County [*or as the Case may be*].

WHEREAS on last past Complaint was made before the undersigned, Two of Her Majesty's Justices of the Peace in and for the said County of [*or as the Case may be*] [*or* a Magistrate of the Police Courts of the Metropolis, *or* Stipendiary Magistrate, *as the Case may be*] for that [*&c. as in the Order*]; and thereupon having considered the Matter of the said Complaint, we [*or* I] adjudged the said [*set out from Form K. the Adjudication of Payment, and the Order for Distress and for Imprisonment in default of Distress*]: And whereas the Time in and by the said Order appointed for the Payment of the said several Sums of and hath elapsed, but the said hath not paid the same or any Part thereof within Fourteen Days after the Date fixed by the Order for such Payment, but therein hath made Default: These are therefore to command you in Her Majesty's Name forthwith to make Distress of the Goods and Chattels of the said *A.B.*; and if within the Space of Days after the making of such Distress the said last-mentioned Sums, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and do pay the Money arising from such Sale over to the Clerk of the Justices of the Peace for the Division of in the said [County, *or as the Case may be*], that he may pay and apply the same as by Law directed, and may render the Overplus, if any, on Demand, to the said ; and if no such Distress can be found, then that you certify the same unto me, to the end that such Proceedings may be had therein as to the Law doth appertain.

Given under our [*or* my] Hands and Seal, this Day of in the Year of our Lord One thousand eight hundred and at in the [County] aforesaid.

A.B.
C.D.

(L.S.)

FORM (L.)

Return of Proceedings under Nuisances Removal Act, 1855, by the [name the Local Authority at length].

From 25th March 1855 to 25th March 1856.

Date of Notice.	By whom given.	Nature of Nuisance.	Proceedings taken.	Remarks:—With any special Work done under the Acts, without any Notice.
16 April -	The Inspector -	Foul Drainage from House.	Owner put down good Drain, on Summons, without Justices Order.	Several Houses being in a like Position, the Highway Surveyor laid down a Sewer in the old Watercourse, and each House was charged a proportionate Sum for the same, of which the highest Sum was 10s.
18 April -	Two Neighbours	Offensive Cesspool.	Abated by Local Authority.	Renewed once; but Penalty recovered, and no subsequent Renewal attempted.

Dated this 26th Day of March 1856. [*To be signed by the Chairman of the Local Authority.*]

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Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.

Metropolitan Buildings Act.

ARRANGEMENT OF CLAUSES.

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2.	Commencement of Act.	
3.	Interpretation of certain Terms in this Act.	
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4.	Limits of Act - - - - -	8 Vict. c. 84. s. 3.
5.	Division of Act.	

PART I.

REGULATION AND SUPERVISION OF BUILDINGS.

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15.	Rules as to Bressummers - - -	8 Vict. c. 84. Sch. D. Pt 2.
16.	Height and Thickness of Parapets to External Walls - - - - -	8 Vict. c. 84. Sch. D. Pt 2.
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18.	Chases in Party Walls - - -	8 Vict. c. 84. Sch. D. Pt 3.
19.	Construction of Roofs - - -	8 Vict. c. 84. Sch. G.
20.	Rules as to Chimnies and Flues - - -	8 Vict. c. 84. Sch. F.
21.	Rules as to close Fires and for conveying Vapour	8 Vict. c. 84. Sch. F.
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27.	Separation of Buildings and Limitation of Areas - - - - - -	8 Vict. c. 84. Sch. C. Pt 4.
28.	Rules as to uniting Buildings - - -	8 Vict. c. 84. Sch. C. Pt 4.
29.	Open Spaces near Dwelling Houses - -	8 Vict. c. 84. Sch. K.
30.	Construction of public Buildings.	

District

District Surveyors.

Sect.	Corresponding Clauses in former Acts.
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32. Power to Metropolitan Board of Works.	
33. Examination by Institute of British Architects.	
34. District Surveyor to have and maintain an Office - - - -	8 Vict. c. 84. s. 72.
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114.	Compensation to Clerks in Office of Metropolitan Buildings.	

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXXII.

An Act to amend the Laws relating to the Construction of Buildings in the Metropolis and its Neighbourhood. [14th *August* 1855.]

WHEREAS it is expedient that the Laws relating to Buildings in the Metropolis and its Neighbourhood should be amended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

PRELIMINARY.

I. This Act may be cited for all Purposes as "The Metropolitan Building Act, 1855." Short Title.

II. This Act shall, except in Cases where it is otherwise expressly provided, come into operation on the First Day of *January* One thousand eight hundred and fifty-six. Commencement of Act.

III. In the Construction of this Act (if not inconsistent with the Context) the following Terms shall have the respective Meanings herein-after assigned to them; (that is to say,) Interpretation of certain Terms in this Act.

"The Treasury" shall mean the Commissioners of Her Majesty's Treasury:

"Public Building" shall mean every Building used as a Church, Chapel, or other Place of Public Worship; also every Building used for Purposes of public Instruction; also every Building used as a College, public Hall, Hospital, Theatre, public Concert Room, public Ball Room, public Lecture Room, public Exhibition Room, or for any other public Purposes:

"External Wall" shall apply to every outer Wall or vertical Enclosure of any Building not being a Party Wall:

"Party Wall" shall apply to every Wall used or built in order to be used as a Separation of any Building from any other Building, with a view to the same being occupied by different Persons:

"Cross Wall" shall apply to every Wall used or built in order to be used as a Separation of one Part of any Building from another Part of the same Building, such Building being wholly in One Occupation:

"Party Structure" shall include Party Walls, and also Partitions, Arches, Floors, and other Structures separating Buildings, Stories, or Rooms which belong to different Owners, or which are approached by distinct Staircases or separate Entrances from without:

The "Area" of every Building shall be deemed to be the Superficies of a horizontal Section of such Building made at the Point of its greatest Surface, including the External Walls and such Portion of the Party Walls as belong to the Building, but excluding any attached Building the Height of which does not exceed the Height of the Ground Story:

"The Base of the Wall" shall mean the Course immediately above the Footings:

"Owner" shall apply to every Person in possession or receipt either of the whole or of any Part of the Rents or Profits of any Land or Tenement, or in the Occupation of such Land or Tenement other than as a Tenant from Year to Year or for any less Term, or as a Tenant at Will:

"Builder" shall apply to and include the Master Builder or other Person employed to execute or who actually executes any Work upon any Building:

"District Surveyor" shall mean every such Surveyor who is appointed in pursuance of this Act, or whose Appointment is hereby confirmed, and shall include any Deputy or Assistant Surveyor appointed under this Act:

In all Cases in which the Name of an Officer having local Jurisdiction in respect of his Office is referred to without Mention of the Locality to which the Jurisdiction extends, such Reference is to be understood to indicate the Officer having Jurisdiction in that

that Place within which is situate the Building or other Subject Matter or any Part thereof to which such Reference applies:

"Person" shall include "a Body Corporate."

LIMITS OF ACT.

IV. This Act shall extend to all Places within the Limits of the Metropolis as defined by an Act passed in the present Session of Parliament, intituled *An Act for the better local Management of the Metropolis*, and to all other Places to which such last-mentioned Act may be extended, unless such Places are in making such Extension expressly excepted from the Operation of this Act; but nothing herein contained shall affect the Exercise of any Powers vested by any Act of Parliament in the Commissioners of Sewers of the City of *London* for the Time being.

Act to extend to all Places within Limits defined by 18 & 19 Vict. c. 120.

V. This Act shall be divided into Five Parts:

(1.) The First Part relating to the Regulation and Supervision of Buildings:

(2.) The Second Part relating to Dangerous Structures:

(3.) The Third Part relating to Party Structures:

(4.) The Fourth Part relating to Miscellaneous Provisions:

(5.) The Fifth Part relating to the Repeal of former Acts, and to temporary Provisions.

Division of Act.

PART I.

REGULATION AND SUPERVISION OF BUILDINGS.

PART I. *Regulation and Supervision of Buildings.*

VI. The following Buildings and Works shall be exempt from the Operation of the First Part of this Act:

Bridges, Piers, Jetties, Embankment Walls, Retaining Walls, and Wharf or Quay Walls:

Her Majesty's Royal Palaces, and any Building in the Possession of Her Majesty, Her Heirs and Successors, or employed for Her Majesty's Use or Service:

Common Gaols, Prisons, Houses of Correction, and Places of Confinement under the Inspection of the Inspectors of Prisons, and Bethlehem Hospital, and the House of Occupations adjoining:

The Mansion House, Guildhall, and Royal Exchange of the City of *London*:

The Offices and Buildings of the Governor and Company of the Bank of *England* already erected, and which now form the Edifice called "The Bank of *England*," and any Offices and Buildings hereafter to be erected for the Use of the said Governor and Company, either on the Site of or in addition to and in connexion with the said Edifice:

Buildings, &c. herein named exempt from Operation of Part I. of this Act.

The

PART I.
Regulation and Supervision of Buildings.

The Buildings of the *British* Museum:

The Offices and Buildings of the Honourable *East India* Company already erected, and any Offices or Buildings hereafter to be erected, for the Use of the said Company, on the Site of or in addition to such existing Offices and Buildings:

Greenwich Hospital and the Buildings in the Parish of *Greenwich* vested in the Commissioners of *Greenwich* Hospital for the Purposes of the said Hospital:

All County Lunatic Asylums, Sessions Houses, and other public Buildings belonging to or occupied by the Justices of the Peace of the County or City in which the same are situated:

The Erections and Buildings authorized by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for the Purposes of a Market in *Covent Garden*:

The Cattle Market, with its Appurtenances, erected in pursuance of the Metropolitan Cattle Market Act, 1851:

The Buildings belonging to any Canal, Dock, or Railway Company, and used for the Purposes of such Canal, Dock, or Railway, under the Provisions of any Act of Parliament:

All Buildings, not exceeding in Height Thirty Feet, as measured from the Footings of the Walls, and not exceeding in Extent One hundred and twenty-five thousand Cubic Feet, and not being Public Buildings, wholly in One Occupation, and distant at least Eight Feet from the nearest Street or Alley, whether public or private, and at the least Thirty Feet from the nearest Buildings and from the Ground of any Adjoining Owner:

All Buildings not exceeding in Extent Two hundred and sixteen thousand Cubic Feet, and not being Public Buildings, and distant at least Thirty Feet from the nearest Street or Alley, whether public or private, and at the least Sixty Feet from the nearest Buildings and from the Ground of an Adjoining Owner:

All Party Fence Walls and Greenhouses so far as regards the necessary Woodwork of the Sashes, Doors, and Frames:

Openings made into Walls or Flues for the Purpose of inserting therein ventilating Valves of a superficial Extent not greater than Forty Square Inches, if such Valves are not nearer than Twelve Inches to any Timber or other combustible Material.

Application of Act, except Exemptions before mentioned.

VII. With the Exemptions herein-before mentioned, this Act shall apply to all new Buildings; and whenever Mention is herein made of any Building, it shall, unless the contrary appears from the Context, be deemed to imply a new Building.

Building, when deemed to be new.

VIII. A Building shall be deemed to be new whenever the enclosing Walls thereof have not been carried higher than the Footings previously to the said First Day of *January* One thousand eight hundred

hundred and fifty-six: Any other Building shall be deemed to be an old Building.

IX. Any Alteration, Addition, or other Work made or done for any Purpose, except that of necessary Repair not affecting the Construction of any External or Party Wall, in, to, or upon any old Building, or in, to, or upon any new Building after the Roof has been covered in, shall, to the Extent of such Alteration, Addition, or Work, be subject to the Regulations of this Act; and whenever Mention is herein-after made of any Alteration, Addition, or Work in, to, or upon any Building, it shall, unless the contrary appears from the Context, be deemed to imply an Alteration, Addition, or Work to which this Act applies.

Alterations of and Additions to old Buildings.

X. Whenever any old Building has been taken down to an Extent exceeding One Half of such Building, such Half to be measured in Cubic Feet, the rebuilding thereof shall be deemed to be the Erection of a new Building; and every Portion of such old Building that is not in conformity with the Regulations of this Act shall be forthwith taken down.

Rebuilding old Buildings.

XI. Whenever any old Buildings are separated by Timber or other Partitions not in conformity with this Act, then, if such Partitions are removed to the Extent of One Half thereof, such Buildings shall as respects the Separation thereof be deemed to be new Buildings, and be forthwith divided from each other in the Manner directed by this Act.

Division of old Buildings separated by irregular Partitions.

Walls.

XII. Walls shall be constructed of such Substances and of such Thickness and in such Manner as are mentioned in the First Schedule annexed hereto.

Structure and Thickness of Walls.

Recesses and Openings.

XIII. The following Rules shall be observed with respect to Recesses and Openings in Walls:

Rules as to Recesses and Openings.

Recesses and Openings may be made in External Walls, provided,

1. That the Backs of such Recesses are not of less Thickness than Eight and a Half Inches; and,
2. That the Area of such Recesses and Openings do not, taken together, exceed One Half of the whole Area of the Wall in which they are made:

Recesses may be made in Party Walls, provided that,

1. The Backs of such Recesses are not of less Thickness than Thirteen Inches; and

PART I. *Regulation and Supervision of Buildings.*

2. That every Recess so formed is arched over, and that the Area of such Recesses do not, taken altogether, exceed One Half of the whole Area of the Wall of the Story in which they are made; and
3. That such Recesses do not come within One Foot of the inner Face of the External Walls;

But no Opening shall be made in any Party Wall except in accordance with the Rules of this Act:

The Word Area, as used in this Section, shall mean the Area of the vertical Face, or Elevation, of the Wall, Pier, or Recess to which it refers.

MISCELLANEOUS.

As to Timber in External Walls.

XIV. Loophole Frames may be fixed within One Inch and a Half of the Face of any External Wall; but all other Woodwork fixed in any External Wall, except Bressummers and Story Posts under the same, and Frames of Doors and Windows of Shops on the Ground Story of any Building, shall be set back Four Inches at the least from the external Face of such Wall.

Rules as to Bressummers.

XV. The following Rules shall be observed with respect to Bressummers and Timbers:—

1. Every Bressummer must have a Bearing in the Direction of its Length of Four Inches at the least at each End, upon a sufficient Pier of Brick or Stone, or upon a Timber or Iron Story Post fixed on a solid Foundation, in addition to its Bearing upon any Party Wall; and the Ends of such Bressummer shall not be placed nearer to the Centre Line of the Party Walls than Four and a Half Inches:
2. No Bond Timber or Wood Plate shall be built into any Party Wall, and the Ends of any Beam or Joist bearing on such Walls shall be at the least Four and a Half Inches distant from the Centre Line of the Party Walls:
3. Every Bressummer bearing upon any Party Wall must be borne by a Templet or Corbel of Stone or Iron tailed through at least Half the Thickness of such Wall, and of the full Breadth of the Bressummer.

Height and Thickness of Parapets to External Walls.

XVI. If any Gutter, any Part of which is formed of combustible Materials, adjoins an External Wall, then such Wall must be carried up so as to form a Parapet One Foot at the least above the highest Part of such Gutter, and the Thickness of the Parapet so carried up must be at the least Eight and a Half Inches, reckoned from the Level of the under Side of the Gutter Plate.

XVII. Every

XVII. Every Party Wall shall be carried up above the Roof Flat or Gutter of the highest Building adjoining thereto, to such Height as will give a Distance of Fifteen Inches measured at Right Angles to the Slope of the Roof, or Fifteen Inches above the highest Part of any Flat or Gutter, as the Case may be; and every Party Wall shall be carried up above any Turret, Dormer, Lantern Light, or other Erection of combustible Materials fixed upon the Roof or Flat of any Building within Four Feet from such Party Wall, and shall extend at the least Twelve Inches higher and wider on each Side than such Erection; and every Party Wall shall be carried up above any Part of any Roof opposite thereto, and within Four Feet from such Party Wall.

Height of Party Walls above Roof.

XVIII. In a Party Wall no Chase shall be made wider than Fourteen Inches, nor more than Four and a Half Inches deep from the Face of the Wall, nor so as to leave less than Eight and a Half Inches in Thickness at the Back or opposite Side thereof, and no Chase may be made within a Distance of Seven Feet from any other Chase on the same Side of the Wall.

As to Chases in Party Walls.

XIX. The Roofs of Buildings shall be constructed as follows; that is to say,

1. The Flat, Gutter, and Roof of every Building, and every Turret, Dormer, Lantern Light, Skylight, or other Erection placed on the Flat or Roof thereof, shall be externally covered with Slates, Tiles, Metal, or other incombustible Materials, except the Doors, Door Frames, Windows, and Window Frames of such Dormers, Turrets, Lantern Lights, Skylights, or other Erections.
2. The Plane of the Surface of the Roof of a Warehouse or other Building used either wholly or in part for Purposes of Trade or Manufacture shall not incline from the External or Party Walls upwards at a greater Angle than Forty-seven Degrees with the Horizon.

As to Construction of Roofs.

XX. The following Rules shall be observed as to Chimnies and Flues:

1. Chimnies built on Corbels of Brick, Stone, or other incombustible Materials may be introduced above the Level of the Ceiling of the Ground Story if the Work so corbelled out does not project from the Wall more than the Thickness of the Wall, but all other Chimnies shall be built on solid Foundations, and with Footings similar to the Footings of the Wall against which they are built:
2. Chimnies and Flues having proper Doors of not less than Six Inches square may be constructed at any Angle, but in every

Rules as to Chimnies and Flues.

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every other Chimney or Flue the Angles shall be constructed of an Obtuseness of not less than One hundred and thirty Degrees, and shall be properly rounded:

3. An Arch of Brick or Stone or a Bar of Wrought Iron must be built over the Opening of every Chimney to support the Breast thereof, and if the Breast projects more than Four and a Half Inches from the Face of the Wall, and the Jamb on either Side is of less Width than Seventeen and a Half Inches, the Abutments must be tied in by an Iron Bar or Bars turned up and down at the Ends and built into the Jambs for at least Eight and a Half Inches on each Side:

4. The Inside of every Flue, and the Back or Outside, unless forming Part of the outer Face of an External Wall, must be rendered, pargeted, or lined with Fireproof Piping:

5. The Jambs of every Chimney must at the least be Eight and a Half Inches wide on each Side of the Opening thereof:

6. The Breast of every Chimney, and the Front, Withe, Partition, and Back of every Flue, must at the least be Four Inches in Thickness:

7. The Back of every Chimney Opening, from the Hearth up to the Height of Twelve Inches above the Mantel, must at the least be Eight and a Half Inches thick if in a Party Wall, or Four and a Half Inches thick if not in a Party Wall:

8. The Thickness of the upper Side of every Flue, when its Course makes, with the Horizon, an Angle of less than Forty-five Degrees, must be at the least Eight and a Half Inches:

9. Every Chimney Shaft shall be carried up in Brick or Stone Work all round, at the least Four Inches thick, to a Height of not less than Three Feet above the Roof, Flat, or Gutter adjoining thereto, measured at the highest Point in the Line of Junction with such Roof, Flat, or Gutter:

10. The Brickwork or Stonework of any Chimney Shaft, excepting that of the Furnace of any Steam Engine, Brewery, Distillery, or Manufactory, shall not be built higher above the Roof, Flat, or Gutter adjoining thereto, measured from the highest Point in the Line of Junction with such Roof, Flat, or Gutter, than a Height equal to Six Times the least Width of such Chimney Shaft at the Level of such highest Point in the Line of Junction, unless such Chimney Shaft is built with and bonded to another Chimney Shaft not in the same Line with the first, or otherwise rendered secure:

11. There shall be laid, level with the Floor of every Story, before the Opening of every Chimney, a Slab of Stone, Slate, or other incombustible Substance, at the least Twelve Inches

Inches longer than the Width of such Opening, and at the least Eighteen Inches wide in front of the Breast thereof:

12. On every Floor, except the lowest Floor, such Slab shall be laid wholly upon Stone or Iron Bearers, or upon Brick Trimmers; but on the lowest Floor it may be bedded on the solid Ground:

13. The Hearth or Slab of every Chimney shall be bedded wholly on Brick, Stone, or other incombustible Substance, and shall be solid for a Thickness of Seven Inches at the least beneath the upper Surface of such Hearth or Slab:

14. No Flue shall be built against any Party Structure, unless a Withe is properly secured thereto, at the least Four Inches in Thickness:

15. No Chimney Breast or Shaft built with or in any Party Wall shall be cut away unless the District Surveyor certifies that it can be done without injuriously affecting the Stability of any Building:

16. No Chimney Shaft, Jamb, Breast, or Flue shall be cut into except for the Purpose of Repair, or doing some One or more of the following Things:

Of letting in or removing or altering Flues, Pipes, or Funnels for the Conveyance of Smoke, hot Air, or Steam, or of letting in, removing, or altering Smoke Jacks:

Of forming Openings for Soot Doors, such Openings to be fitted with a close Iron Door and Frame:

Of making Openings for the Insertion of ventilating Valves, subject to the following Restriction, That no Opening shall be made nearer than Twelve Inches to any Timber or combustible Substance:

17. No Timber or Woodwork shall be placed,

In any Wall or Chimney Breast nearer than Twelve Inches to the Inside of any Flue or Chimney Opening;

Under any Chimney Opening within Eighteen Inches from the upper Surface of the Hearth of such Chimney Opening;

Within Two Inches from the Face of the Brickwork or Stonework about any Chimney or Flue, where the Substance of such Brickwork or Stonework is less than Eight and a Half Inches thick, unless the Face of such Brickwork or Stonework is rendered;

And no Wooden Plugs shall be driven nearer than Six Inches to the Inside of any Flue or Chimney Opening, nor any Iron Holdfast or other Iron Fastening nearer than Two Inches thereto.

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Rules as to close Fires and Pipes for conveying Vapour, &c.

XXI. The following Rules shall be observed as to close Fires, and Pipes for conveying heated Vapour or Water; that is to say,

1. The Floor under every Oven or Stove used for the Purpose of Trade or Manufacture, and the Floor around the same for a Space of Eighteen Inches, shall be formed of Materials of an incombustible and non-conducting Nature:
2. No Pipe for conveying Smoke, heated Air, Steam, or hot Water shall be fixed against any Building on the Face next to any Street, Alley, Mews, or public Way:
3. No Pipe for conveying heated Air or Steam shall be fixed nearer than Six Inches to any combustible Materials:
4. No Pipe for conveying hot Water shall be placed nearer than Three Inches to any combustible Materials:
5. No Pipe for conveying Smoke or other Products of Combustion shall be fixed nearer than Nine Inches to any combustible Material:

And if any Person fails in complying with the Rules of this Section he shall for each Offence incur a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace.

Rules as to Accesses and Stairs in certain Buildings.

XXII. The following Rules shall be observed with respect to Accesses and Stairs:

In every Public Building, and in every other Building containing more than One hundred and twenty-five thousand Cubic Feet, and used as a Dwelling House for separate Families, the Floors of the Lobbies, Corridors, Passages, and Landings, and also the Flights of Stairs, shall be of Stone or other Fire-proof Material, and carried by Supports of a Fire-proof Material.

Rules as to habitable Rooms.

XXIII. The following Rules shall be observed with respect to habitable Rooms in any Building; that is to say,

1. Every habitable Room hereafter constructed in any Building, except Rooms in the Roof thereof and Cellars and underground Rooms, shall be in every Part at the least Seven Feet in Height from the Floor to the Ceiling:
2. Every habitable Room hereafter constructed in the Roof of every Building shall be at the least Seven Feet in Height from the Floor to the Ceiling throughout not less than One Half the Area of such Room:
3. Cellars and underground Rooms shall be constructed in manner directed by the said Act for the better Local Management of the Metropolis:

And whosoever knowingly suffers any Room that is not constructed in conformity with this Section to be inhabited shall, in addition to

to any other Liabilities he may be subject to under this Act, incur a Penalty not exceeding Twenty Shillings for every Day during which such Room is inhabited; and any Room in which any Person passes the Night shall be deemed to be inhabited within the Meaning of this Act.

As to Party Arches over public Ways.

XXIV. Every Party Arch, and every Arch or Floor over any public Way, or any Passage leading to Premises in other Occupation, shall be formed of Brick, Stone, or other incombustible Materials: If an Arch of Brick or Stone is used, it shall, in Cases where its Span does not exceed Nine Feet, be of the Thickness of Four and a Half Inches at the least, but when its Span exceeds Nine Feet, be of the Thickness of Eight and a Half Inches at the least: If an Arch or Floor of Iron or other incombustible Material is used, it shall be constructed in such Manner as may be approved by the District Surveyor.

As to Arches under public Ways.

XXV. Every Arch under any public Way shall be formed of Brick, Stone, or other incombustible Materials: If an Arch of Brick or Stone is used, it shall, in Cases where its Span does not exceed Ten Feet, be of the Thickness of Eight and a Half Inches at the least; where its Span does not exceed Fifteen Feet, it shall be of the Thickness of Thirteen Inches at least; and where its Span exceed Fifteen Feet, it shall be of such Thickness as may be approved by the District Surveyor: If an Arch or other Construction of Iron or other incombustible Material is used, it shall be constructed in such Manner as may be approved by the District Surveyor.

Rules as to Projections.

XXVI. The following Rules shall be observed as to Projections:

1. Every Coping, Cornice, Facia, Window Dressing, Portico, Balcony, Verandah, Balustrade, and architectural Projection or Decoration whatsoever, and also the Eaves or Cornices to any overhanging Roof, except the Cornices and Dressings to the Window Fronts of Shops, and except the Eaves and Cornices to detached and semi-detached Dwelling Houses distant at least Fifteen Feet from any other Building, and from the Ground of any Adjoining Owner, shall, unless the Metropolitan Board otherwise permit, be of Brick, Tile, Stone, artificial Stone, Slate, Cement, or other Fire-proof Material:
2. In Streets or Alleys of a less Width than Thirty Feet, any Shop Front may project beyond the External Wall of the Building to which it belongs for Five Inches and no more, and any Cornice of any such Shop Front may project Thirteen Inches and no more; and in any Street or Alley of a Width greater

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greater than Thirty Feet, any Shop Front may project Ten Inches and no more, and the Cornice may project for Eighteen Inches from the External Walls, but no more:

3. No Part of the Woodwork of any Shop Front shall be fixed nearer than Four and a Half Inches from the Line of Junction of any adjoining Premises, unless a Pier or Corbel of Stone, Brick, or other Fire-proof Material, Four and a Half Inches wide at the least, is built or fixed next to such adjoining Premises as high as such Woodwork is fixed, and projects an Inch at the least in front of the Face thereof:
4. The Roof, Flat, or Gutter of every Building, and every Balcony, Verandah, Shop Front, or other Projection, must be so arranged and constructed, and so supplied with Gutters and Pipes, as to prevent the Water therefrom from dropping upon or running over any public Way:
5. Except in so far as is permitted by this Section in the Case of Shop Fronts, and with the Exception of Water Pipes and their Appurtenances, Copings, Cornices, Facias, Window Dressings, and other like architectural Decorations, no Projection from any Building shall extend beyond the general Line of Fronts in any Street, except with the Permission of the Metropolitan Board of Works herein-after mentioned.

Rules as to the Separation of Buildings, and Limitation of their Areas.

XXVII. The following Rules shall be observed as to the Separation of Buildings, and Limitation of their Areas:

1. Every Building shall be separated by External or Party Walls from any adjoining Building:
2. Separate Sets of Chambers or Rooms tenanted by different Persons shall, if contained in a Building exceeding Three thousand six hundred Square Feet in Area, be deemed to be separate Buildings, and be divided accordingly, so far as they adjoin vertically by Party Walls, and so far as they adjoin horizontally by Party Arches or Fire-proof Floors:
3. If any Building in One Occupation is divided into Two or more Tenements, each having a separate Entrance and Staircase, or a separate Entrance from without, every such Tenement shall be deemed to be a separate Building for the Purposes of this Act:
4. Every Warehouse, or other Building used either wholly or in part for the Purposes of Trade or Manufacture, containing more than Two hundred and sixteen thousand Cubic Feet, shall be divided by Party Walls in such Manner that the Contents of each Division thereof shall not exceed the above-mentioned Number of Cubic Feet.

XXVIII. The

XXVIII. The following Rules shall be observed as to uniting Buildings: Rules as to uniting Buildings.

1. No Buildings shall be united unless they are wholly in the same Occupation:
2. No Buildings shall be united, if when so united they will, considered as One Building only, be in contravention of any of the Provisions of this Act:
3. No Opening shall be made in any Party Wall dividing Buildings, which, if taken together, would contain more than Two hundred and sixteen thousand Cubic Feet, except under the following Conditions:
   Such Opening shall not exceed in Width Seven Feet or in Height Eight Feet:
   Such Opening shall have the Floor, Jambs, and Head formed of Brick, Stone, or Iron, and be closed by Two Wrought Iron Doors, each One Fourth of an Inch thick in the Panel, at a Distance from each other of the full Thickness of the Wall, fitted to rebated Frames, without Woodwork of any kind:
4. Whenever any Buildings which have been united cease to be in the same Occupation, any Openings made in the Party Walls dividing the same shall be stopped up with Brick or Stone Work of the full Thickness of the Wall itself, and properly bonded therewith.

XXIX. Every Building used or intended to be used as a Dwelling House, unless all the Rooms can be lighted and ventilated from a Street or Alley adjoining, shall have in the Rear or on the Side thereof an open Space exclusively belonging thereto of the Extent at least of One hundred Square Feet. As to Open Spaces near Dwelling Houses.

XXX. Notwithstanding anything herein contained, every Public Building, including the Walls, Roofs, Floors, Galleries, and Staircases, shall be constructed in such Manner as may be approved by the District Surveyor, or, in the event of Disagreement, may be determined by the Metropolitan Board; and, save in so far as respects the Rules of Construction, every Public Building shall throughout this Act be deemed to be included in the Term Building, and be subject to all the Provisions of this Act, in the same Manner as if it were a Building erected for a Purpose other than a Public Purpose. Construction of Public Buildings.

DISTRICT SURVEYORS.

XXXI. With the Exemptions herein-before mentioned, every Building, and every Work done to, in, or upon any Building, shall be subject to the Supervision of the District Surveyor appointed to the District in which the Building is situate. Buildings to be supervised by District Surveyors.

XXXII. The

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Power to Metropolitan Board of Works established under 18 & 19 Vict. c. 120.

XXXII. The following Things may be done by the Metropolitan Board of Works, established by the said Act for the better Local Management of the Metropolis, by Order, at their Discretion; that is to say,

1. They may alter the Limits of any District, or unite any Two or more Districts together, and in any such Case place such altered District under the Supervision of any existing or of any future District Surveyor, with Power from Time to Time to alter any District so made, and do all such Matters and Things as are necessary for carrying into effect the Power hereby given:
2. They may dismiss any existing District Surveyor, with the Consent of One of Her Majesty's Principal Secretaries of State; they may suspend any such Surveyor as last aforesaid; they may dismiss or suspend any future District Surveyor; and in case of any Suspension or during any Vacancy they may appoint a temporary Substitute:
3. Whenever any Vacancy occurs in the Office of any existing or future District Surveyor they may appoint another qualified Person in his Place:
4. They may pay such Amount of Compensation as they think fit to any District Surveyor who may be deprived of his Office, in pursuance of the Power hereby given of altering the Limits of Districts:

But, subject to the Provisions herein contained, the several Places which at the Time when this Act comes into operation are constituted Districts under an Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, and intituled *An Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood*, for the Purposes of that Act, shall continue to be Districts for the Purposes of this Act, and the several Persons who at the Time when this Act comes into operation are District Surveyors under the Provisions of the said Act shall continue to be District Surveyors under this Act.

Examination by Institute of British Architects.

XXXIII. The Institute of *British* Architects may from Time to Time cause to be examined, by such Persons and in such Manner as they think fit, all Candidates presenting themselves for the Purpose of being examined as to their Competency to perform the Duties of District Surveyor, and shall grant Certificates of Competency to the Candidates found deserving of the same; and no Person who has not already filled the Office of District Surveyor, or has not already obtained a Certificate of Competency in pursuance of the said Act of the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, shall be qualified to be appointed to that Office, unless he

he has received a Certificate of Competency from the said Institute of *British* Architects, or has been examined in such other Manner as the said Metropolitan Board may direct, and been found competent in such Examination.

XXXIV. Every District Surveyor shall have and maintain an Office at his own Expense in such Part of his District as may be approved by the Metropolitan Board of Works.

District Surveyor to have and maintain an Office.

XXXV. If any District Surveyor is prevented by Illness, Infirmity, or any other unavoidable Circumstance from attending to the Duties of his Office, he may, with the Consent of the Metropolitan Board of Works, appoint some other Person as his Deputy to perform all his Duties for such Time as he may be prevented from executing them.

District Surveyor may appoint Deputy, with Consent.

XXXVI. If at any Time it appears to the Metropolitan Board of Works that, on account of the Pressure of Business in any District, or any other Account, the Surveyor of that District cannot discharge his Duties promptly and efficiently, then such Board may direct any other District Surveyor to assist the Surveyor of such District in the Performance of his Duties, or appoint some other Person to give such Assistance, and such Assistant Surveyor shall be entitled to receive all Fees payable in respect of the Services performed by him.

Assistant Surveyor may be appointed on Emergency.

XXXVII. If any Building is executed, or any Work done to, in, or upon any Building, by or under the Superintendence of any District Surveyor acting professionally or on his own private Account, it shall not be lawful for such Surveyor to survey any such Building for the Purpose of this Act, or to act as District Surveyor in respect thereof or in any Matter connected therewith, but it shall be his Duty to give Notice thereof to the said Metropolitan Board, who shall then appoint some other District Surveyor to act in respect of such Matter.

District Surveyor not to act in case of Works under his professional Superintendence.

NOTICES TO DISTRICT SURVEYORS.

XXXVIII. Two Days before the following Acts or Event, that is to say,

Two Days before any Building, or any Work to, in, or upon any Building, is commenced, and also, if the Progress of any such Building or Work is after the Commencement thereof suspended for any Period exceeding Three Months, Two Days before such Building or Work is resumed, and also if during the Progress of any such Building or Work the Builder employed thereon is changed, then Two Days before any new Builder enters upon the Continuance of such Building or Work,

It shall be the Duty of the Builder engaged in building or rebuilding such Building, or in executing such Work, or in continuing such Building

Notices to be given to District Surveyor by Builder.

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ing or Work, to give to the District Surveyor Notice in Writing stating the Situation, Area, and Height, and intended Use of the Building or Buildings about to be commenced, or to, in, or upon which any Work is to be done, and the Number of such Buildings if more than One, and also the Particulars of any such proposed Work, and stating also his own Name and Address, but any Works to, in, or upon the same Building that are in progress at the same Time may be included in One Notice.

District Surveyor to cause Rules of this Act to be observed.

XXXIX. Every District Surveyor shall, upon the Receipt of any such Notice as aforesaid, and also upon any Work affected by the Rules of this Act, but in respect of which no Notice has been given, being observed by or made known to him, and also from Time to Time during the Progress of any Works affected by the Rules and Directions of this Act, as often as may be necessary for securing the due Observance of such Rules, survey any Building or Work hereby placed under their Supervision, and cause all the Rules of this Act to be duly observed.

Notice to be Evidence of intended Works.

XL. Every Notice given in pursuance of this Act shall be deemed, in any Question relative to any Building or Work, to be *primâ facie* Evidence as against such Builder of the Nature of the Building or Work proposed to be built or done.

Penalty on Builders neglecting to give Notice.

XLI. If any Builder neglects to give Notice in any of the Cases aforesaid, or executes any Works of which he is hereby required to give Notice before giving the same, or having given due Notice of any Works executes the same before the Expiration of Two Days from the Time of giving such Notice, such Builder shall for every such Offence incur a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace.

District Surveyor may enter and inspect Buildings affected by this Act.

Penalty for Refusal.

XLII. At all reasonable Times during the Progress of any Building or Work affected by this Act it shall be lawful for the District Surveyor to enter and inspect such Building or Work; and if any Person refuses to admit such Surveyor to inspect such Building or Work, or refuses or neglects to afford such Surveyor all reasonable Assistance in such Inspection, in every such Case the Offender shall incur for each Offence a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace.

District Surveyor may enter Buildings to ascertain as to exempted Buildings.

XLIII. The District Surveyor may at all reasonable Times enter any Premises, with the Exception of Buildings herein-before exempted by Name, for the Purpose of ascertaining whether any Buildings erected in such Premises are in such a Situation or possess such Characteristics

Characteristics as are herein-before required in order to exempt them from the Operation of this Act, and he may do all such Things as are necessary for the above Purpose; and if any Person refuses to admit such Surveyor to enter such Premises or to inspect any such Building, or neglects to afford to him all reasonable Assistance in such Inspection, in every such Case the Offender shall incur for each Offence a Penalty not exceeding Twenty Pounds to be recovered before a Justice of the Peace.

In case of Emergency, Works may be commenced without Notice.

XLIV. If by reason of any Emergency any Act or Work is required to be done immediately, or before Notice can be given as aforesaid, then it shall be lawful to do the Act or Work so required to be done, upon Condition that before the Expiration of Twenty-four Hours after such Act or Work has been begun Notice thereof is given to the District Surveyor.

PROCEEDINGS BY DISTRICT SURVEYORS IN CASE OF IRREGULARITY.

Notice by District Surveyor in case of Irregularity.

XLV. In the following Cases, that is to say,—

If in erecting any Building or in doing any Work to, in, or upon any Building, anything is done contrary to any of the Rules of this Act, or anything required by this Act is omitted to be done; or

In Cases where due Notice has not been given,—

If the District Surveyor, on surveying or inspecting any Building or Work, finds that the same is so far advanced that he cannot ascertain whether anything has been done contrary to the Rules of this Act, or whether anything required by the Rules of this Act has been omitted to be done;

In every such Case the District Surveyor shall give to the Builder engaged in erecting such Building, or in doing such Work Notice in Writing requiring such Builder, within Forty-eight Hours from the Date of such Notice, to cause anything done contrary to the Rules of this Act to be amended, or to do anything required to be done by this Act, but which has been omitted to be done, or to cause so much of any Building or Work as prevents such District Surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be to a sufficient Extent cut into, laid open, or pulled down.

On Noncompliance with Notice, Justice to summon Builder, and make Order

XLVI. If the Builder to whom such Notice is given makes default in complying with the Requisition thereof within such Period of Forty-eight Hours, the District Surveyor may cause Complaint of such Noncompliance to be made before a Justice of the Peace, and such Justice shall thereupon issue a Summons requiring the Builder

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to comply with Requisition.

so in default to appear before him; and if upon his Appearance, or in his Absence, upon due Proof of the Service of such Summons, it appears to such Justice that the Requisitions made by such Notice or any of them are authorized by this Act, he shall make an Order on such Builder commanding him to comply with the Requisitions of such Notice, or any of such Requisitions that may in his Opinion be authorized by this Act, within a Time to be named in such Order.

Penalty on Noncompliance with Order of Justice.

XLVII. If such Order is not complied with, the Builder on whom it is made shall incur a Penalty not exceeding Twenty Pounds a Day, to be recovered before a Justice of the Peace, during every Day of the Continuance of such Noncompliance, and in addition thereto the District Surveyor may, if he thinks fit, proceed with a sufficient Number of Workmen to enter upon the Premises, and do all such Things as may be necessary for enforcing the Requisitions of such Notice, and for bringing any Building or Work into conformity with the Rules of this Act, and all Expenses incurred by him in so doing and in any such Proceedings as aforesaid, may be recovered from the Builder on whom such Order was made, in a summary Manner, before a Justice of the Peace, or may be recovered from the Owner of the Premises in the same Manner in which Expenses incurred by the Commissioners herein-after named in respect of dangerous Buildings are herein-after directed to be recovered from any Owner; and if the Owner cannot be found, or if, on Demand, he refuses or neglects to pay the aforesaid Expenses, the District Surveyor shall have the same Power of taking and selling the Building in respect of which the Order is made, and of applying the Proceeds, as is thereby given to the Commissioners.

Penalty on Workmen, &c. doing anything contrary to Rules of Act.

XLVIII. If any Workman, Labourer, Servant, or other Person employed in or about any Building, wilfully, and without the Privity or Consent of the Person causing such Work to be done, does anything in or about such Building contrary to the Rules of this Act, he shall for each such Offence incur a Penalty not exceeding Fifty Shillings.

FEES OF DISTRICT SURVEYORS.

Payments to District Surveyors in respect of Matters in First Part of Second Schedule.

XLIX. There shall be paid to the District Surveyors, in respect of the several Matters specified in the First Part of the Second Schedule hereto, the Fees therein specified, or such other Fees, not exceeding the Amounts therein specified, as may from Time to Time be directed by the Metropolitan Board of Works; but One Fee only shall be chargeable with respect to any such Works done in, to, or upon any Building as are in pursuance of the Provisions herein-before contained included in One Notice; and if in consequence of any Reduction being

being made by the said Metropolitan Board in the Amount of the said scheduled Fees the Income of any existing District Surveyor is diminished, the Metropolitan Board shall grant to him Compensation in respect of such Diminution.

L. If any special Service is required to be performed by the District Surveyor under the First Part of this Act, for which no Fee is specified in the said Schedule, the Metropolitan Board of Works may order such Fee to be paid for such Service as they think fit, and the District Surveyor shall have the same Remedy for recovering such special Fee as if the same were expressly named in the said Schedule.

Metropolitan Board may appoint special Fees for Services not provided for.

LI. At the Expiration of the following Periods, that is to say,

of One Month after the Roof of any Building surveyed by any District Surveyor under this Act has been covered in,

of Fourteen Days after the Completion of any such Work as is by this Act placed under the Supervision of the District Surveyor,

of Fourteen Days after any special Service in respect of any Building has been performed,

the District Surveyor shall be entitled to receive the Amount of Fees due to him from the Builder employed in erecting such Building, or in doing such Work, or in doing any Matter in respect of which any special Service has been performed by the Surveyor, or from the Owner or Occupier of the Building so erected or in respect of which such Work has been done or Service performed; and if any such Builder, Owner, or Occupier refuses to pay the same, such Fees may be recovered in a summary Manner before a Justice of the Peace, upon its being shown to the Satisfaction of such Justice that a proper Bill specifying the Amount of such Fees was delivered to such Builder, Owner, or Occupier, or sent to him in a registered Letter addressed to his last known Residence.

Periods when Surveyors entitled to Fees.

RETURNS BY DISTRICT SURVEYORS.

LII. Every District Surveyor shall, within Seven Days after the First Day of every Month, make a Return to the Metropolitan Board of Works, in such Manner as they may appoint, of all Notices and Complaints received by him relative to the Business of his District, and the Results thereof, and of all Matters brought by him before any Justice of the Peace, and of all the several Works supervised and special Services performed by him in the Exercise of his Office within the previous Month, and of all Fees charged or received in respect thereof, and specify in such Return the Description and Locality of every Building built, rebuilt, enlarged, or altered,

District Surveyor to make monthly Returns to Metropolitan Board of Works.

PART I. *Regulation and Supervision of Buildings.*

altered, or on which any Work has been done under his Supervision, with the particular Nature of every Work in respect of which any Fee has been charged or received.

Return duly signed to be a Certificate that Works are agreeable to Act.

LIII. Every such Return shall be signed by such Surveyor, and shall be deemed to be a Certificate that all the Works enumerated therein as completed have been done in all respects agreeably to this Act, according to the best of his Knowledge and Belief, and that they have been duly surveyed by him.

Superintending Architect to audit Accounts of Fees charged by District Surveyors, and to report in case of Excess.

LIV. The Officer herein-after mentioned as the Superintending Architect of Metropolitan Buildings, or such other Officer as the Metropolitan Board of Works appoint, shall from Time to Time examine the said monthly Returns made by the District Surveyors; and in case any Fees therein specified appear to such Officer to be unauthorized by this Act, or to exceed in Amount the Rates hereby made payable, or in case any such Account appears to be in any respect fraudulent or untrue, he shall make his Report in Writing to that Effect to the Metropolitan Board of Works, who shall thereupon take such Steps in the Matter as they deem expedient.

POWERS OF METROPOLITAN BOARD OF WORKS.

Power for Metropolitan Board of Works to modify Rules

LV. The Metropolitan Board of Works may, by Order, made with the Consent of Her Majesty in Council, alter, in such Manner as they may think fit, the Rules for the Regulation of the Thickness of Walls contained in the First Schedule hereto.

Buildings to which Rules of Act are inapplicable.

LVI. Whenever any Builder is desirous of erecting any Iron Building, or any other Building to which the Rules of this Act are inapplicable, he shall make an Application to the Metropolitan Board of Works, stating such Desire, and setting out a Plan of the proposed Building, with such Particulars as to the Construction thereof as may be required by the said Board; and the latter, if satisfied with such Plan and Particulars, shall signify their Approval of the same, and thereupon such Building may be constructed according to such Plan and Particulars; but it shall not be lawful for such Board to authorize any Warehouse or other Building used either wholly or in part for the Purposes of Trade or Manufacture to be erected of greater Dimensions than Two hundred and sixteen thousand Cubic Feet, unless it is divided by Party Walls in manner herein-before required.

Power of Metropolitan Board to make General Rules.

LVII. The said Metropolitan Board may, for the Purpose of regulating the Proceedings of such Applicants as aforesaid, from Time to Time issue such General Rules as to the Time and Manner of making

making such Applications, as to the Plans to be presented, as to the Expenses to be incurred, and as to any other Matter or Thing connected therewith, as they may think fit.

Approval of Board how signified.

LVIII. The Approval by the Metropolitan Board of Works of any Plans or Particulars, in pursuance of the foregoing Provisions, shall be signified by Writing under the Hand of the Superintending Architect of Metropolitan Buildings, and countersigned by the Chairman of such Board, or by any other Officer appointed by the Board.

Board to issue Forms of Notices.

LIX. The said Metropolitan Board may from Time to Time prepare or sanction Forms of the various Notices required by this Act, and may from Time to Time make such Alterations therein as they deem requisite; and they shall cause every such Form to be sealed with the Seal of the Board, or marked with some other distinguishing Mark; and any Notice made in a Form sanctioned by the Board shall in all Proceedings be held sufficient in Law.

Expenses of Orders to be borne by Builders.

LX. All Expenses incurred in and about the obtaining such Approval of the Metropolitan Board of Works as aforesaid shall be paid by the Builder to the said Superintending Architect, or to such other Person as the said Board may appoint, and in default of Payment may be recovered in a summary Manner.

District Surveyor to see Plans carried into execution.

LXI. A Copy of any Plans and Particulars, approved by the Metropolitan Board of Works, shall be furnished to the Surveyor within whose District the Building to which such Plans and Particulars relate is situate, and thereupon it shall be the Duty of such District Surveyor to ascertain that the same is built in accordance with the said Plans and Particulars.

Power to Metropolitan Board to appoint Superintending Architect and Clerks.

LXII. The Metropolitan Board of Works may, for the Purpose of aiding in the Execution of this Act, appoint some fit Person, to be called the "Superintending Architect of Metropolitan Buildings," together with such Number of Clerks as they think fit; such Architect and Clerks shall be removable by the said Metropolitan Board, and shall perform such Duties as the said Board direct; but it shall not be lawful for any Superintending Architect to practise as an Architect, or to follow any other Occupation.

Superintending Architect may appoint Deputy, with Consent.

LXIII. If the Superintending Architect is prevented by Illness, Infirmity, or any other unavoidable Circumstance from attending to the Duties of his Office, he may, with the Consent of the Metropolitan Board of Works, appoint some other Person as his Deputy to perform all his Duties for such Time as he may be temporarily prevented from executing them.

PART I. *Regulation and Supervision of Buildings.*

Salaries to Architect and Clerks.

LXIV. There shall be paid to such Superintending Architect and Clerks such Salaries as the said Metropolitan Board may from Time to Time direct.

EXPENSES.

Power of Metropolitan Board to pay Salaries.

LXV. The said Metropolitan Board may at any Time hereafter, by Order, cause such fixed Salary as they may determine to be paid to any District Surveyor by way of Remuneration instead of Fees, provided the Amount of such Remuneration be not less than the Amount of the Average of the Fees for the last Three Years; and thereupon such Surveyor shall pay all Fees received by him under this Act into the Hands of the said Superintending Architect.

Monies received by Superintending Architect to be paid to the Metropolitan Board.

LXVI. All Monies received by the Superintending Architect in pursuance of this Act shall be accounted for and paid by him into the Hands of the Treasurer of the said Metropolitan Board, at such Time and in such Manner as the said Board may direct.

Metropolitan Board may pay Salaries out of Rates.

LXVII. The said Metropolitan Board may at any Time hereafter provide, either wholly or partially, for the Payment of Salaries to the District Surveyors, or to any of them, out of the Rates leviable by such Board, in pursuance of the said Act for the better local Management of the Metropolis, and may thereupon abolish or reduce any Fees hereby made payable to the District Surveyors.

Expenses, how borne.

LXVIII. All Expenses of carrying into execution this Act, not hereby otherwise provided for, shall be deemed to be Expenses incurred by the said Metropolitan Board in the Execution of the said Act for the better local Management of the Metropolis, and shall be raised and paid accordingly.

PART II. *Dangerous Structures.*

PART II.

DANGEROUS STRUCTURES.

Survey to be made of dangerous Structures. 8 Vict. c. 84. s. 40.

LXIX. Whenever it is made known to the Commissioners hereinafter named that any Structure (including in such Expression any Building, Wall, or other Structure, and anything affixed to or projecting from any Building, Wall, or other Structure,) is in a dangerous State, such Commissioners shall require a Survey of such Structure to be made by the District Surveyor, or by some other competent Surveyor, and it shall also be the Duty of the District Surveyor to make known to the said Commissioners any Information he may receive with respect to any Structure being in such State as aforesaid.

LXX. In

LXX. In Cases where any such Structure is situate within the City of *London* or the Liberties thereof, herein-after included under the Expression "the City of *London*," the Expression "the Commissioners" shall mean "the Commissioners of Sewers of the City of *London*;" but when such Structure is situate elsewhere it shall mean "the Commissioners of Police of the Metropolis," or such One of them as may be authorized by One of Her Majesty's Principal Secretaries of State to act in the Matter of this Act.

Definition of "Commissioners."

LXXI. Upon the Completion of his Survey the Surveyor employed shall certify to the said Commissioners his Opinion as to the State of any such Structure as aforesaid.

Surveyor on Completion of Survey to give Certificate.

LXXII. If such Certificate is to the Effect that such Structure is not in a dangerous State, no further Proceedings shall be had in respect thereof, but if it is to the Effect that the same is in a dangerous State, the Commissioners shall cause the same to be shored up, or otherwise secured, and a proper Hoard or Fence to be put up for the Protection of Passengers, and shall cause Notice in Writing to be given to the Owner or Occupier of such Structure requiring him forthwith to take down, secure, or repair the same, as the Case requires.

Proceedings to be taken in respect of Certificate.

LXXIII. If the Owner or Occupier to whom Notice is given as last aforesaid fails to comply, as speedily as the Nature of the Case permits, with the Requisition of such Notice, the said Commissioners may make Complaint thereof before a Justice of the Peace; and it shall be lawful for such Justice to order the Owner, or on his Default the Occupier, of any such Structure to take down, repair, or otherwise secure, to the Satisfaction of the Surveyor who made such Survey as aforesaid, or of such other Surveyor as the said Commissioners may appoint, such Structure or such Part thereof as appears to him to be in a dangerous State, within a Time to be fixed by such Justice; and in case the same is not taken down, repaired, or otherwise secured within the Time so limited, the said Commissioners may with all convenient Speed cause all or so much of such Structure as is in a dangerous Condition to be taken down, repaired, or otherwise secured, in such Manner as may be requisite; and all Expenses incurred by the said Commissioners in respect of any dangerous Structure by virtue of the Second Part of this Act shall be paid by the Owner of such Structure, but without Prejudice to his Right to recover the same from any Lessee or other Person liable to the Expenses of Repairs.

On Non-compliance with Notice, Justice to summon Owner, &c. and make Order to comply with Requisition.

LXXIV. If such Owner cannot be found, or if, on Demand, he refuses or neglects to pay the aforesaid Expenses, the said Commissioners, after giving Three Months Notice of their Intention to do so, by

If Owner cannot be found, Commissioners may sell

PART II. *Dangerous Structures.*

Structure, giving the Surplus to Owner, &c.

by posting a printed or written Notice in a conspicuous Place on the Structure in respect of which or of Part of which they have incurred Expense, or on the Land whereon it stands, may sell such Structure, and they shall, after deducting from the Proceeds of such Sale the Amount of all Expenses incurred by them, restore the Surplus (if any) to the Owner.

Payments by or to the Commissioners, how made.

LXXV. All Payments hereby directed to be made by or to the Commissioners shall in the Cases of Payments in respect of any Structure situate within the City of *London* be made by or to the Chamberlain of the City out of or to the Consolidated Rate made by the Commissioners of Sewers, and in the Cases of Payments in respect of any Structure situate elsewhere within the Limits of this Act be made by or to the Receiver of Metropolitan Police, in the same Manner in which Payments are made by or to such Chamberlain and Receiver respectively in the ordinary Course of their Business; but no Commissioner or other Officer shall be liable in respect of any Loss that may be sustained by any Person in consequence of the Exercise by the said Commissioners of the Powers hereby given them, unless such Loss happens through the wilful Default of such Commissioner or other Officer.

Surplus how to be applied if no Demand made for it.

LXXVI. In Cases where any Surplus is hereby made payable to any Owner, if no Demand for the same is made by any Person entitled thereto within One Year, then the same shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Owner (describing him so far as the Commissioners can), subject to the Control of the Court, and to be paid out to the Owner on his applying by Petition, and proving his Title thereto.

Fees to District Surveyor.

LXXVII. There shall be paid to the District Surveyor, or to such other Surveyor as aforesaid, in respect of his Services under the Second Part of this Act, such Fees, not exceeding the Amounts specified in the Second Part of the Second Schedule hereto, as may from Time to Time be directed by the said Metropolitan Board.

Metropolitan Board may appoint special Fees for Services not provided for.

LXXVIII. If any special Service is required to be performed by the District Surveyor, or by such other Surveyor as aforesaid, under the Second Part of this Act, for which no Fee is specified in the said Schedule, the said Metropolitan Board may order such Fee to be paid for such Service as they think fit.

Fees to be deemed Part of Expenses.

LXXIX. All Fees paid to the District Surveyor, or to such other Surveyor as aforesaid, by virtue of the Second Part of this Act, shall be deemed to be Expenses incurred by the said Commissioners in

in the Matter of the dangerous Structure in respect of which such Fees are paid, and shall be recoverable by them from the Owner accordingly.

LXXX. In Cases where a Structure has been certified by a District Surveyor, or such other Surveyor as aforesaid, to be dangerous to its Inmates, a Justice of the Peace may, if satisfied of the Correctness of such Certificate, upon the Application of the said Commissioners, by Order under his Hand direct any Inmates of such Structure to be removed therefrom by a Constable or other Peace Officer, and if they have no other Abode he may require them to be received into the Workhouse established for the Reception of the Poor of the Place in which such Structure is situate.

Justice of Peace may cause Inmates to be removed from dangerous Structures.

LXXXI. Subject to the Approval of One of Her Majesty's Principal Secretaries of State, the said Commissioners may appoint such Persons at such Salaries, and make such Regulations, as they think fit for carrying into execution the Second Part of this Act; and all Expenses incurred by them not hereby otherwise provided for shall, in the Case of Expenses incurred by the said Commissioners of Police, be deemed to be Expenses incurred by them in respect of the Police Force of which they are Commissioners, and be payable accordingly; and all Expenses incurred by the said Commissioners of Sewers shall be paid out of the said Consolidated Rate.

Powers of Commissioners to appoint Officers.

PART III.

PARTY STRUCTURES.

Part III. *Party Structures.*

Preliminary.

LXXXII. In the Construction of the following Provisions relating to Party Structures, such One of the Owners of the Premises separated by or adjoining to any Party Structure as is desirous of executing any Work in respect to such Party Structure shall be called the Building Owner, and the Owner of the other Premises shall be called the Adjoining Owner.

Definition of Building Owner and Adjoining Owner.

Rights of Building and Adjoining Owners.

LXXXIII. The Building Owner shall have the following Rights in relation to Party Structures; that is to say,

Rights of Building Owner.

(1.) A Right to make good or repair any Party Structure that is defective or out of repair:

(2.) A Right to pull down and rebuild any Party Structure that is so far defective or out of repair as to make it necessary or desirable to pull down the same:

(3.) A Right to pull down any Timber or other Partition that divides any Buildings, and is not conformable with the

PART III. *Party Structures.*

Regulations of this Act, and to build instead a Party Wall conformable thereto:

(4.) In the Case of Buildings having Rooms or Stories the Property of different Owners intermixed, a Right to pull down such of the said Rooms or Stories or any Part thereof as are not built in conformity with this Act, and to rebuild the same in conformity with this Act:

(5.) In the Case of Buildings connected by Arches or Communications over public Ways or over Passages belonging to other Persons, a Right to pull down such of the said Buildings, Arches, or Communications, or any Part thereof, as are not built in conformity with this Act, and to rebuild the same in conformity with this Act:

(6.) A Right to raise any Party Structure permitted by this Act to be raised, or any External Wall built against such Party Structure, upon Condition of making good all Damage occasioned thereby to the adjoining Premises or to the internal Finishings and Decorations thereof, and of carrying up to the requisite Height all Flues and Chimney Stacks belonging to the Adjoining Owner on or against such Party Structure or External Wall:

(7.) A Right to pull down any Party Structure that is of insufficient Strength for any Building intended to be built, and to rebuild the same of sufficient Strength for the above Purpose, upon Condition of making good all Damage occasioned thereby to the adjoining Premises, or to the internal Finishings and Decorations thereof:

(8.) A Right to cut into any Party Structure upon Condition of making good all Damage occasioned to the adjoining Premises by such Operation:

(9.) A Right to cut away any Footing or any Chimney Breasts, Jambs, or Flues projecting from any Party Wall, in order to erect an External Wall against such Party Wall, or for any other Purpose, upon Condition of making good all Damage occasioned to the adjoining Premises by such Operation:

(10.) A Right to cut away or take down such Parts of any Wall or Building of an Adjoining Owner as may be necessary in consequence of such Wall or Building overhanging the Ground of the Building Owner, in order to erect an upright Wall against the same, on Condition of making good any Damage sustained by the Wall or Building by reason of such cutting away or taking down:

(11.) A Right to perform any other necessary Works incident to the Connexion of Party Structure with the Premises adjoining thereto:

But

But the above Rights shall be subject to this Qualification, that any Building which has been erected previously to the Time of this Act coming into operation shall be deemed to be conformable with the Provisions of this Act if it is conformable with the Provisions of an Act passed in the Fourteenth Year of His late Majesty King *George* the Third, Chapter Seventy-eight, or with the Provisions of the said Act of the Eighth Year of Her present Majesty, Chapter Eighty-four.

Rights of Adjoining Owner.

LXXXIV. Whenever the Building Owner proposes to exercise any of the foregoing Rights with respect to Party Structures the Adjoining Owner may require the Building Owner to build on any such Party Structure certain Chimney Jambs, Breasts, or Flues, or certain Piers or Recesses, or any other like Works for the Convenience of such Adjoining Owner; and it shall be the Duty of the Building Owner to comply with such Requisition in all Cases where the Execution of the required Works will not be injurious to the Building Owner, or cause to him unnecessary Inconvenience or unnecessary Delay in the Exercise of his Right; and any Difference that arises between any Building Owner and Adjoining Owner in respect of the Execution of such Works as aforesaid shall be determined in manner in which Differences between Building Owners and Adjoining Owners are herein-after directed to be determined.

Rules as to Exercise of Rights by Building and Adjoining Owners.

LXXXV. The following Rules shall be observed with respect to the Exercise by Building Owners and Adjoining Owners of their respective Rights:—

(1.) No Building Owner shall, except with the Consent of the Adjoining Owner, or in Cases where any Party Structure is dangerous, in which Cases the Provisions hereby made as to dangerous Structures shall apply, exercise any Right hereby given in respect of any Party Structure, unless he has given at the least Three Months previous Notice to the Adjoining Owner by delivering the same to him personally, or by sending it by Post in a registered Letter addressed to such Owner at his last known Place of Abode:

(2.) The Notice so given shall be in Writing or printed, and shall state the Nature of the proposed Work, and the Time at which such Work is proposed to be commenced:

(3.) No Building Owner shall exercise any Right hereby given to him in such Manner or at such Time as to cause unnecessary Inconvenience to the Adjoining Owner:

(4.) Upon the Receipt of such Notice the Adjoining Owner may require the Building Owner to build or may himself build on any such Party Structure any Works to the Construction of which he is herein-before mentioned to be entitled:

(5.) Any

PART III. *Party Structures.*

(5.) Any Requisition so made by an Adjoining Owner shall be in Writing or printed, and shall be delivered personally to the Building Owner within One Month after the Date of the Notice being given by him, or be sent by Post in a registered Letter addressed to him at his last known Place of Residence: It shall specify the Works required by the Adjoining Owner for his Convenience, and shall, if necessary, be accompanied with explanatory Plans and Drawings:

(6.) If either Owner does not, within Fourteen Days after the Delivery to him of any Notice or Requisition, express his Consent thereto, he shall be considered as having dissented therefrom, and thereupon a Difference shall be deemed to have arisen between the Building Owner and the Adjoining Owner:

(7.) In all Cases not hereby specially provided for where a Difference arises between a Building Owner and Adjoining Owner in respect of any Matter arising under this Act, unless both Parties concur in the Appointment of One Surveyor they shall each appoint a Surveyor, and the Two Surveyors so appointed shall select a Third Surveyor, and such One Surveyor or Three Surveyors, or any Two of them, shall settle any Matter in Dispute between such Building and Adjoining Owner, with Power by his or their Award to determine the Right to do, and the Time and Manner of doing any Work, and generally any other Matter arising out of or incidental to such Difference; but any Time so appointed for doing any Work shall not commence until after the Expiration of such Period of Three Months, as is herein-before mentioned:

(8.) Any Award given by such One Surveyor, or by such Three Surveyors, or any Two of them, shall be conclusive, and shall not be questioned in any Court, with this Exception, that either of the Parties to the Difference may appeal therefrom to the County Court within Fourteen Days from the Date of the Delivery of any such Award as aforesaid, and such County Court may, subject as herein-after mentioned, rescind or modify the Award so given in such Manner as it thinks just:

(9.) If either Party to the Difference makes default in appointing a Surveyor for Ten Days after Notice has been given to him by the other Party in manner aforesaid to make such Appointment, the Party giving the Notice may make the Appointment in the Place of the Party so making default:

(10.) The Costs incurred in obtaining any such Award as aforesaid shall be paid by such Party as such One Surveyor, or Three Surveyors, or any Two of them, may determine:

(11.) If the Appellant from any such Award as aforesaid, on appearing before the County Court, declares his Unwillingness

ness to have the Matter decided by such Court, and proves to the Satisfaction of the Judge of such Court that in the event of the Matter being decided against him he will be liable to pay a Sum, exclusive of Costs, exceeding Fifty Pounds, and gives Security, to be approved by such Judge, duly to prosecute his Appeal and to abide the Event thereof, all Proceedings in the County Court shall thereupon be stayed; and it shall be lawful for such Appellant to bring an Action in One of Her Majesty's Superior Courts of Law at *Westminster* against the other Party to the Difference; and the Plaintiff in such Action shall deliver to the Defendants an Issue or Issues whereby the Matters in difference between them may be tried; and the Form of such Issue or Issues, in case of Dispute, or in case of the Nonappearance of the Defendant, shall be settled by the Court in which the Action is brought; and such Action shall be prosecuted and Issue or Issues tried in the same Manner and subject to the same Incidents in and subject to which Actions are prosecuted and Issues tried in other Cases within the Jurisdiction of such Court, or as near thereto as Circumstances admit:

(12.) If the Parties to any such Action agree as to the Facts, a special Case may be stated for the Opinion of any such Superior Court as aforesaid, and any Case so stated may be brought before the Court in like Manner and subject to the same Incidents in and subject to which other special Cases are brought before such Court, or as near thereto as Circumstances admit; and any Costs that may have been incurred in the County Court by the Parties to such Action as is mentioned in this Section shall be deemed to be Costs incurred in such Action, and be payable accordingly.

Power for Building Owner to make Entry on Premises to effect Works.

LXXXVI. Whenever any Building Owner has become entitled, in pursuance of this Act, to execute any Work, it shall be lawful for him, his Servants, Agents, or Workmen, at all usual Times of working, to enter on any Premises, for the Purpose of executing and to execute such Work, removing any Furniture, or doing any other Thing that may be necessary, and if such Premises are closed he or they may, accompanied by a Constable or other Officer of the Peace, break open any Doors in order to such Entry; and any Owner or other Person that hinders or obstructs any Workman employed for any of the Purposes aforesaid, or wilfully damages or injures the said Work, shall incur for every such Offence a Penalty not exceeding Ten Pounds, to be recovered before a Justice of the Peace.

Penalty on Persons obstructing.

Security to be given by Building

LXXXVII. Any Adjoining Owner may, if he thinks fit, by Notice in Writing given by himself or his Agent, require the Building Owner,

PART III. *Party Structures.*

Owner, if required by Adjoining Owner.

Owner, before commencing any Work which he may be authorized by this Act to execute, to give such Security as may be agreed upon, or in case of Difference may be settled by the Judge of the County Court, for the Payment of all such Costs and Compensation in respect of such Work as may be payable by such Building Owner.

Rules as to Expenses in respect of Party Structure.

LXXXVIII. The following Rules shall be observed as to Expenses in respect of any Party Structure; (that is to say,)

As to Expenses to be borne jointly by the Building Owner and Adjoining Owner:

(1.) If any Party Structure is defective or out of repair the Expense of making good or repairing the same shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Structure:

(2.) If any Party Structure is pulled down and rebuilt by reason of its being so far defective or out of repair as to make it necessary or desirable to pull down the same, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Structure:

(3.) If any Timber or other Partition dividing any Building is pulled down, in exercise of the Right herein-before vested in a Building Owner, and a Party Structure built instead thereof, the Expense of building such Party Structure, and also of building any additional Party Structures that may be required by reason of such Partition having been pulled down, shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Party Structure, and to the Thickness required to the respective Buildings parted thereby:

(4.) If any Room or Stories, or any Part of Rooms or Stories, the Property of different Owners, and intermixed in any Building, are pulled down in pursuance of the Right herein-before vested in any Building Owner, and rebuilt in conformity with this Act, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Rooms or Stories:

(5.) If any Arches or Communications, or any Parts thereof, are pulled down in pursuance of the Right herein-before vested in any Building Owner, and rebuilt in conformity with this Act, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion,

Proportion, regard being had to the Use that each Owner makes of such Arches or Communications:

As to Expenses to be borne by Building Owner:

(6.) If any Party Structure or External Wall built against the same is raised in pursuance of the Power herein-before vested in any Building Owner, the Expense of raising the same, and of making good all such Damage, and of carrying up to the requisite Height all such Flues and Chimnies as are herein-before required to be made good and carried up, shall be borne by the Building Owner:

(7.) If any Party Structure which is of proper Materials and sound, or not so far defective or out of repair as to make it necessary or desirable to pull down the same, is pulled down and rebuilt by the Building Owner, the Expense of pulling down and rebuilding the same, and of making good all such Damage as is herein-before required to be made good, shall be borne by the Building Owner:

(8.) If any Party Structure is cut into by the Building Owner, the Expense of cutting into the same, and of making good any Damage herein-before required to be made good, shall be borne by such Building Owner:

(9.) If any Footing, Chimney Breast, Jambs, or Floor is cut away in pursuance of the Powers herein-before vested in any Building Owner, the Expense of such cutting away, and of making good any Damage herein-before required to be made good, shall be borne by the Building Owner.

Account of Expenses of Works to be delivered to Adjoining Owner within One Month.

LXXXIX. Within One Month after the Completion of any Work which any Building Owner is by this Act authorized or required to execute, and the Expense of which is in whole or in part to be borne by an Adjoining Owner, such Building Owner shall deliver to the Adjoining Owner an Account in Writing of the Expense of the Work, specifying any Deduction to which such Adjoining Owner or other Person may be entitled in respect of old Materials, or in other respects; and every such Work as aforesaid shall be estimated and valued at fair average Rates and Prices, according to the Nature of the Work and the Locality, and the Market Price of Materials and Labour at the Time.

Adjoining Owner may appeal against Account.

XC. At any Time within One Month after the Delivery of such Account, the Adjoining Owner, if dissatisfied therewith, may declare his Dissatisfaction to the Party delivering the same, by Notice in Writing given by himself or his Agent, and specifying his Objections thereto; and upon such Notice having been given a Difference shall be deemed to have arisen between the Parties, and such Difference shall

PART III. *Party Structures.*

shall be determined in manner herein-before provided for the Determination of Differences between Building and Adjoining Owners.

Building Owner may recover, if no Appeal made.

XCI. If within such Period of One Month as aforesaid the Party receiving such Account does not declare in manner aforesaid his Dissatisfaction therewith, he shall be deemed to have accepted the same, and shall pay the same, on Demand, to the Party delivering the Account, and if he fails to do so the Amount so due may be recovered as a Debt.

Penalty on Delay of Payment by Adjoining Owner.

XCII. Where the Adjoining Owner is liable to contribute to the Expenses of building any Party Structure, until such Contribution is paid the Building Owner at whose Expense the same was built shall stand possessed of the sole Property in such Structure.

As to Expenses incurred on Requisition of Adjoining Owner.

XCIII. Where any Building Owner has incurred any Expenses on the Requisition of an Adjoining Owner, the Adjoining Owner making such Requisition shall be liable for all such Expenses, and in default of Payment the same may be recovered from him as a Debt.

Penalty on Building Owner failing to execute required Works.

XCIV. Where any Building Owner is, by the Third Part of this Act, liable to make good any Damage he may occasion to the Property of the Adjoining Owner by any Works authorized to be executed by him, or to do any other Thing upon Condition of doing which his Right to execute such Works is hereby limited to arise, and such Building Owner fails within a reasonable Time to make good such Damage or to do such Thing, he shall incur a Penalty, to be recovered before a Justice of the Peace, not exceeding Twenty Pounds for each Day during which such Failure continues.

Consent how given on behalf of Persons under Disability.

XCV. Where, in pursuance of this Act, any Consent is required to be given, any Notice to be served, or any other Thing to be done by, on, or to any Owner under Disability, such Consent may be given, such Notice may be served, and such Thing may be done by, on, or to the following Persons, on behalf of such Persons under Disability; that is to say,

By, on, or to a Husband, on behalf of his Wife:

By, on, or to a Trustee, on behalf of his Cestuique Trust:

By, on, or to a Guardian or Committee, on behalf of an Infant, Idiot, or Lunatic.

Consent how given on behalf of Persons not to be found.

XCVI. Where any Consent is required to be given or any other Thing to be done by any Owner in pursuance of this Act, if there is no Owner capable of giving such Consent or of doing such Thing, and no Person empowered by this Act to give such Consent or to do such Thing on behalf of such Owner, or if any

any Owner so capable, or any Person so empowered, cannot be found, the Judge of the County Court shall have Power to give such Consent or do or cause to be done such Thing on behalf of such Owner, upon such Terms and subject to such Conditions as he may think fit, having regard alike to the Nature and Purpose of the Subject Matter in respect of which such Consent is to be given, and to the fair Claims of the Parties on whose Behalf such Consent is to be given; and such Judge shall have Power to dispense with the Service of any Notice which would otherwise be required to be served.

PART IV.

MISCELLANEOUS PROVISIONS.

PART IV. *Miscellaneous Provisions.*

Payment of Expenses by Owners.

XCVII. Where it is hereby declared that Expenses are to be borne by the Owner of any Premises (including in the Term "Owner" the Adjoining and Building Owner respectively), the following Rules shall be observed with respect to the Payment of such Expenses:

(1.) The Owner immediately entitled in possession to such Premises, or the Occupier thereof, shall in the first instance pay such Expenses, with this Limitation, that no Occupier shall be liable to pay any Sum exceeding in Amount the Rent due or that will thereafter accrue due from him in respect of such Premises during the Period of his Occupancy:

(2.) If there are more Owners than One, every Owner shall be liable to contribute to such Expenses in proportion to his Interest:

(3.) If any Difference arises as to the Amount of Contribution, such Difference shall be decided by Arbitration, to be conducted in manner directed by the Companies Clauses Consolidation Act, 1845; and for that Purpose the Clauses of the said Act with respect to the Settlement of Disputes by Arbitration shall be incorporated with this Act:

(4.) If some of the Owners liable to Contribution cannot be found, the Deficiency so arising shall be divided amongst the Parties that can be found:

(5.) Any Occupier of Premises who has paid any Expenses under this Act may deduct the Amount so paid from any Rent payable by him to any Owner of the same Premises; and any Owner of Premises who has paid more than his due Proportion of any Expenses may deduct the Amount so overpaid from any Rent that may be payable by him to any other Owner of the same Premises:

(6.) If Default is made by any Owner or Occupier in Payment of any Expenses hereby made payable by him in the first instance, or if Default is made by any Owner in Payment

PART IV. *Miscellaneous Provisions*

of any other Expenses or Monies due from him by way of Contribution or otherwise in pursuance of this Act, then in addition to any other Remedies hereby provided such Expenses and Monies, if arising in respect of any Matter within the Provisions of the Third Part of this Act, may be recovered as a Debt in due Course of Law, but if arising in respect of any other Matter under this Act may be recovered in a summary Manner.

Rules as to Service of Notices, Summonses and Orders.

XCVIII. The following Rules shall be observed with respect to the giving or Service of any Notice, Summons, or Order directed to be given or served under this Act in Cases not herein-before provided for:

(1.) A Notice, Summons, or Order may in all Cases be served personally:

(2.) A Notice, Summons, or Order may be served on any Builder by leaving the same or sending it in a registered Letter addressed to him at his Place of Address as stated by him to the District Surveyor, or by putting up such Notice, Summons, or Order on a conspicuous Part of the Building or Premises to which the same relates:

(3.) A Notice, Summons, or Order may be served on the Owner or Occupier of any Premises by leaving the same with the Occupier of such Premises, or with some Inmate of his Abode, or if there is no Occupier by putting up such Notice, Summons, or Order on a conspicuous Part of the Building or Premises to which the same relates; and it shall not be necessary to name the Owner or Occupier of such Premises; nevertheless, when the Owner of any such Premises and his Residence, or that of his Agent, are known to the Party by whom or on whose Behalf any Notice, Summons, or Order is intended to be served, it shall be the Duty of such Party to send every such Notice, Summons, or Order by the Post in a registered Letter addressed to the Residence or last known Residence of such Owner or of his Agent:

(4.) A Notice, Summons, or Order may be served on any District Surveyor by leaving the same at his Office.

As to Things authorized to be done by a County Court.

XCIX. Whenever any Thing is hereby authorized to be done by a County Court it may be done as follows; that is to say, if such Thing arises in respect of any Structure or other Subject Matter situate within the City of *London* or the Liberties thereof, by the Sheriffs Court established by a Local Act passed in the Eleventh Year of the Reign of Her Majesty, Chapter Seventy-one, intituled *An Act for the more easy Recovery of Small Debts and Demands within the City of* London *or the Liberties thereof*, and if such Thing arises in

11 & 12 Vict. c. lxxi.

in respect of any Structure or other Subject Matter situate elsewhere, by the County Court having Jurisdiction within the District in which such Structure or other Subject Matter is situate.

Manner of determining Differences.

C. In Cases where Jurisdiction is hereby given to a County Court, such Court may from Time to Time make such Order in respect of Matters so brought before it as it may think fit, with Power to settle the Time and Manner of executing any Work, or of doing any other Thing, and to put the Parties to the Case upon such Terms as respects the Execution of the Work as it thinks fit: It shall also have Power to award or refuse Costs according to Circumstances, and to settle the Amount thereof.

Form of Proceedings in County Court.

CI. Proceedings in any County Court in respect of any Matter arising under this Act shall be conducted in the same Manner as Proceedings are conducted in any Case within the ordinary Jurisdiction of such Court, or as near thereto as Circumstances permit; and Orders made by the Judge of any such Court may be enforced by Execution, Committal, or otherwise, in a similar Manner to that in which the Orders of such Court are ordinarily enforced.

Appeal from Decision of County Court.

CII. If either Party in any Case over which Jurisdiction is hereby given to a County Court feels aggrieved with the Decision of such Court in respect of any Point of Law, or the Admission or Rejection of any Evidence, he may appeal therefrom in the same Manner and upon the same Terms in and upon which he might have appealed from the Decision of such Court in any Case within the ordinary Jurisdiction of such Court, or as near thereto as Circumstances permit; but no such Appeal shall be allowed unless the Value of the Matter in difference between the Parties exceeds Fifty Pounds; and the Opinion of the Judge before whom the Case is tried as to such Value shall be conclusive.

Recovery of Penalties.

CIII. All Penalties under this Act, and all Fees, Monies, Costs, or Expenses by this Act directed to be recovered in a summary Manner, may be recovered in manner directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders;* and whenever any Thing is hereby authorized or required to be done by or before a Justice of the Peace it may be done as follows; that is to say, if such Thing arises in respect of any Building or Wall situate within the City of *London*, by or before One or more Justice or Justices of the Peace for the said City or by any Metropolitan Police Magistrate, and if such Thing arises in respect of

PART IV. *Miscellaneous Provisions.*

of any Building or Wall situate elsewhere within the Limits of this Act, by or before any Metropolitan Police Magistrate.

Application of Penalties.

CIV. Any Justice of the Peace in any Case over which Jurisdiction is hereby given to him may make such Order as to the Costs of any Proceedings of which he has Cognizance as he thinks just; he may also direct the whole or any Part of any Penalty imposed by him under this Act to be applied in or towards Payment of the Costs of the Proceedings; and, subject to such Direction, all Penalties shall be paid into the Hands of the Treasurer of the said Metropolitan Board, to be applied in such Manner as the said Board thinks fit.

Provisions as to Limitation of Time when due Notice has not been given.

CV. In Cases where any Building has been erected or Work done without due Notice being given to the District Surveyor, the District Surveyor may, at any Time within One Month after he has discovered that such Building has been erected or Work done, enter the Premises for the Purpose of seeing that the Regulations of this Act have been complied with, and the Time during which the District Surveyor may take any Proceeding, or do anything authorized or required by this Act to be done by him, in respect of such Building or Work, shall begin to run from the Date of his discovering that such Building has been erected or Work done.

Power to appeal to Superior Courts.

CVI. In every Case, except in respect of Fees of a District Surveyor, in which Jurisdiction is herein-before given to a Justice of the Peace, if either Party to any such Case is dissatisfied with the Determination of the Justice so convicting, in respect of any Point of Law, or of the Admission or Rejection of any Evidence, such Party may, upon giving Notice within Seven Days to the other Party of his Intention to appeal, appeal therefrom to any of the Superior Courts of Common Law at *Westminster*; subject to this Restriction, that no such Appeal shall be made by any District Surveyor except with the Consent of the Justice before whom the Case is tried, and that no such Appeal shall be made by any other Party to the Case except upon giving such Security for Costs, and, if the Case requires it, in addition thereto, such Undertaking in respect of desisting in the meantime from any Works complained of, or in respect of any other Matter or Thing arising in the Case, as the Justice thinks fit.

Form of Appeal.

CVII. Any Appeal so made shall be in the Form of a Special Case, to be agreed on by both Parties, or, if the Parties cannot agree, to be settled by the Justice from whose Decision the Appeal is made; and such Case shall be transmitted by the Appellant to the Rule Department of the Master's Office in the Court in which the Appeal is to be brought, and be heard in manner provided by the Practice of such Court.

CVIII. No

CVIII. No Writ or Process shall be sued out against any District Surveyor or other Person for anything done or intended to be done under the Provisions of this Act until the Expiration of One Month next after Notice in Writing has been delivered to him, or left at his Office or usual Place of Abode, stating the Cause of Action, and the Name and Place of Abode of the intended Plaintiff, and of his Attorney or Agent in the Cause; and upon the Trial of any such Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action which is not stated in such last-mentioned Notice; and unless such Notice is proved the Jury shall find for the Defendant; and every such Action shall be brought or commenced within Six Months next after the Accrual of the Cause of Action, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action occurred, and not elsewhere; and the Defendant shall be at liberty to plead the General Issue, and give this Act and all special Matter in Evidence thereunder.

Notice of Action.

PART V.

REPEAL OF FORMER ACTS, AND TEMPORARY PROVISIONS.

Part V. *Repeal of former Acts, and temporary Provisions.*

Repeal.

CIX. From and after the Commencement of this Act, the following Acts, that is to say, an Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, and intituled *An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood*, with the Exception of the Sections relating to dangerous and noxious Businesses, and numbered respectively Fifty-four, Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty, Sixty-one, Sixty-two, and Sixty-three, and an Act passed in the Ninth Year of the Reign of Her present Majesty, Chapter Five, and intituled *An Act to amend an Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood*, are throughout the Limits of this Act and elsewhere hereby repealed, subject to the following Provisions; that is to say,

Repeal of 8 & 9 Vict. c. 84., except ss. 54. to 63., and 9 & 10 Vict. c. 5.

1. That such Repeal shall not affect any Proceedings authorized to be taken by the said Acts or either of them in respect of any Act, Omission, Penalty, Matter, or Thing, and pending before the Official Referees or any other Tribunal at the Time of the Commencement of this Act:
2. That in Cases where any Act, Omission, or Thing has occurred previously to the Time of the Commencement of this Act, in respect of which, if this Act had not passed, Proceedings might have been taken under the said Acts or either of them, then Proceedings in respect of such Act, Omission, or Thing may be had under this Act in manner following; that is to say, if the Matter in question is anything relating

 to

PART V. *Repeal of former Acts and temporary Provisions.*

to the Rights of Building and Adjoining Owners in respect of Party Structures, Proceedings may be had in the County Court, but if the Matter in question relates to the Recovery of any Penalty or to any other Thing, Proceedings may be had before any Justice of the Peace:

3. That so much of the Act of the Fourteenth Year of King *George* the Third, Chapter Seventy-eight, as was excepted from the Operation of the said Act of the Eighth Year of Her present Majesty, Chapter Eighty-four, (that is to say,) the Sections numbered respectively Seventy-four, Seventy-five, Seventy-six, Seventy-seven, Seventy-eight, Eighty, Eighty-one, Eighty-two, Eighty-three, Eighty-four, Eighty-five, and Eighty-six, shall continue in full Force.

As to Contracts made previously to passing of Act.

CX. Any Contract made previously to the passing of this Act for the Erection of a new Building shall be carried into effect in the same Manner as if this Act had been passed at the Time of the making thereof, and the necessary Deviations from the Terms of such Contract may be made accordingly; and if any Dispute arises in respect of any Loss sustained by any Party to such Contract by reason of such necessary Deviation, such Dispute shall be determined by the County Court; and whenever any Costs or Expenses have been paid by any Owner in pursuance of this Act, then as to any Structure held under any Lease or Agreement made previously to the Commencement of this Act it shall be lawful for such Owner to recover the same from the Persons hitherto liable by Law, or by such existing Lease or Contract, to maintain or repair the Structure in respect of which such Costs and Expenses have been incurred.

Liabilities under Contract between Landlord and Tenant not to be affected.

CXI. Nothing herein contained shall vary or affect the Rights or Liabilities as between Landlord and Tenant under any Contract between them.

As to Iron Buildings constructed before this Act comes into operation.

CXII. In Cases where any Iron Building has been constructed or is in the Progress of Construction previously to the Time at which this Act comes into operation, and Doubts are entertained whether such Building is permitted by Law, any Person interested in such Building may make an Application to the Commissioners of Works and Buildings, to signify their Approval of such Building; and the Commissioners of Works and Buildings, upon being satisfied of the Stability of such Building, may approve of the same, and upon such Approval being given such Building shall be deemed to have been constructed in manner permitted by Law, and this Section shall come into operation immediately after the passing of this Act.

Compensation to

CXIII. The Official Referees and Registrar of Metropolitan Buildings may, within Six Months from the Time at which this Act comes into

into operation, apply to the Commissioners of Her Majesty's Treasury for Compensation in respect of the Loss they have sustained by reason of the Abolition of their Offices; and the Commissioners shall take any such Application into consideration, and award such Compensation, either by way of a gross Sum or annual Payment, as they think just, having regard to the Nature of the Office, the Time during which the Applicant has held the same, and generally to the special Circumstances of each Case; and any Compensation so given shall be paid out of Monies to be provided by Parliament; and such Compensation, when made by annual Payment, shall be subject to this Proviso, that if any such Official Referee or Registrar is at any Time thereafter appointed to any Public Office in respect of which he receives a Salary, the Payment of the Compensation awarded to him under this Act shall be suspended so long as he receives such Salary, if the Amount thereof is greater than such Compensation, or if not shall be diminished by the Amount of such Salary.

Official Referees and Registrar.

CXIV. Any Person, except the said Official Referees and Registrar, who at the Time when this Act comes into operation is employed in the Office of Metropolitan Buildings may within Six Months from such Time apply to the Metropolitan Board of Works for Employment, and such Board shall thereupon take such Application into consideration, and they shall either employ the Applicant at a Salary not less in Amount than that which he enjoyed when in the said Office of Metropolitan Buildings, or at a less Salary awarding to him Compensation in respect of such Diminution of Salary, or they shall award to him such Compensation, if any, as they, or in the event of the Applicant feeling aggrieved with their Decision, as the Commissioners of the Treasury, think just, having regard to the Nature of the Office, the Time during which it has been held by the Applicant, and generally to the special Circumstances of the Case; and any Expenses incurred by the said Board in carrying into effect this Section shall be deemed to be Expenses incurred in the Execution of the said Act for the better Local Management of the Metropolis, and be raised accordingly; nevertheless, if any such Clerk or Servant as aforesaid at any Time thereafter is appointed to any Public Office, or to any Office under the said Metropolitan Board, in respect of which he receives a Salary, the Payment of the Compensation awarded to him under this Act shall be suspended so long as he receives such Salary, if the Amount thereof is greater than the Amount of such Compensation, or if not shall be diminished by the Amount of such Salary; but, notwithstanding anything herein contained, the Metropolitan Board may, in the event of their employing any Person mentioned in this Section, dismiss him, with the Consent of the Treasury.

Compensation to Clerks in Office of Metropolitan Buildings.

FIRST

FIRST SCHEDULE.

PRELIMINARY.

Structure of Buildings.

1. Every Building shall be enclosed with Walls constructed of Brick, Stone, or other hard and incombustible Substances, and the Foundations shall rest on the solid Ground, or upon Concrete or upon other solid Substructure.

Construction of Walls of Brick, Stone, &c.

2. Every Wall constructed of Brick, Stone, or other similar Substances shall be properly bonded and solidly put together with Mortar or Cement, and no Part of such Wall shall overhang any Part underneath it, and all Return Walls shall be properly bonded together.

Extra Thickness of certain Stone Walls.

3. The Thickness of every Stone Wall in which the Beds of the Masonry are not laid horizontally shall be One Third greater than the Thickness prescribed for Stone Walls in the Rules herein-after contained.

Thickness of Walls.

4. The Thickness of every Wall as herein-after determined shall be the minimum Thickness.

Height of Story.

5. The Height of every topmost Story shall be measured from the Level of its Floor up to the under Side of the Tie of the Roof, or up to Half the vertical Height of the Rafters, when the Roof has no Tie; and the Height of every other Story shall be the clear Height of such Story exclusive of the Thickness of the Floor.

Height of External and Party Walls.

6. The Height of every External and Party Wall shall be measured from the Base of the Wall to the Level of the Top of the topmost Story.

Length of Walls.

7. Walls are deemed to be divided into distinct Lengths by Return Walls, and the Length of every Wall is measured from the Centre of one Return Wall to the Centre of another; provided that such Return Walls are External, Party, or Cross Walls of the Thickness herein-after required, and bonded into the Walls so deemed to be divided.

Footings of Walls.

8. The Projection of the Bottom of the Footing of every Wall, on each Side of the Wall, shall be at least equal to One Half of the Thickness of the Wall at its Base; and the Diminution of the Footing of every Wall shall be formed in regular Offsets, and the Height from the Bottom of such Footing to the Base of the Wall shall be at the least equal to One Half of the Thickness of the Wall at its Base.

PART I.

RULES FOR THE WALLS OF DWELLING HOUSES.

1. The External and Party Walls of Dwelling Houses shall be made throughout the different Stories of the Thickness shown in the following Table, arranged according to the Heights and Lengths of the Walls, and calculated for Walls up to One hundred Feet in Height, and supposed to be built of Bricks not less than Eight and a Half Inches and not more than Nine and a Half Inches in Length, the Heights of the Stories being subject to the Condition herein-after given. Thickness of Walls of Dwelling Houses.

2. TABLE.

I.	II.	III.	IV.
Height up to 100 Feet.	Length up to 45 Feet. Two Stories, 21½ Inches. Three Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 80 Feet. Two Stories, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 30 Inches. Two Stories, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 90 Feet.	Length up to 45 Feet. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 70 Feet. One Story, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 30 Inches. Two Stories, 26 Inches. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 80 Feet.	Length up to 40 Feet. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 60 Feet. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 70 Feet.	Length up to 40 Feet. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 55 Feet. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 26 Inches. Two Stories, 21½ Inches. One Story, 17½ Inches. Remainder, 13 Inches.
Height up to 60 Feet.	Length up to 30 Feet. One Story, 17½ Inches. Remainder, 13 Inches.	Length up to 50 Feet. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 50 Feet.	Length up to 30 Feet. Wall below the Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	Length up to 45 Feet. One Story, 17½ Inches. Rest of Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. One Story, 21½ Inches. One Story, 17½ Inches. Remainder, 13 Inches.
Height up to 40 Feet.	Length up to 35 Feet. Wall below Two Topmost Stories, 13 Inches. Two Topmost Stories, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. One Story, 17½ Inches. Rest of Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	
Height up to 30 Feet.	Length up to 35 Feet. Wall below Two Topmost Stories, 13 Inches. Two Topmost Stories, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	
Height up to 25 Feet.	Length up to 30 Feet. From Base to Top of Wall, 8½ Inches.	Length unlimited. Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	

Explanation of Tables.

3. In using the above Table the Height of the Wall is to be reckoned on the First vertical Column on the Left Hand of the Table, and the Length of the Wall on the corresponding horizontal Column The Thickness of the Wall in each Story is given in Inches, and begins with the Wall from the Base upwards.

Qualification in case of certain Walls.

4. If any External or Party Wall, measured from Centre to Centre, is not more than Twenty-five Feet distant from any other External or Party Wall to which it is tied by the Beams of any Floor or Floors, other than the Ground Floor, or the Floor of any Story formed in the Roof, the Length of such Wall is not to be taken into consideration, and the Thickness of the Wall will be found in the Second vertical Column in the above Table.

Condition in respect of Stories exceeding a certain Height.

5. If any Story exceeds in Height Sixteen Times the Thickness prescribed for the Walls of such Story in the above Table, the Thickness of each External and Party Wall throughout such Story shall be increased to One Sixteenth Part of the Height of the Story; but any such additional Thickness may be confined to Piers properly distributed, of which the collective Widths amount to One Fourth Part of the Length of the Wall.

Restriction in case of certain Stories.

6. No Story enclosed with Walls less than Thirteen Inches in Thickness shall be more than Ten Feet in Height.

Thickness of Walls built of Materials other than such Bricks as aforesaid.

7. The Thickness of any Wall of a Dwelling House, if built of Materials other than such Bricks as aforesaid, shall be deemed to be sufficient if made of the Thickness required by the above Tables, or of such less Thickness as may be approved by the Metropolitan Board, with this Exception, that in the Case of Walls built of Stone in which the Beds of the Masonry are not laid horizontally no Diminution shall be allowed in the Thickness required by the foregoing Rules for such last-mentioned Walls

Rule as to Buildings not being Public Buildings or Buildings of the Warehouse Class.

8. All Buildings, excepting Public Buildings, and such Buildings as are herein-after defined to be Buildings of the Warehouse Class, shall, as respects the Thickness of their Walls, be subject to the Rules given for Dwelling Houses.

PART II.

RULES FOR THE WALLS OF BUILDINGS OF THE WAREHOUSE CLASS.

Definition of Warehouse Class.

1. The Warehouse Class shall comprise all Warehouses, Manufactories, Breweries, and Distilleries.

Thickness at Base

2. The External and Party Walls of Buildings of the Warehouse Class shall at the Base be made of the Thickness shown in the following Table, calculated for Walls up to One hundred Feet in Height, and supposed to be built of Bricks not less than Eight and a Half Inches and not more than Nine and a Half Inches in Length.

3. TABLE

Metropolitan Buildings (Schedules).

3. TABLE.

I.	II.	III.	IV.
Height up to 100 Feet.	Length up to 55 Feet. Base, 26 Inches.	Length up to 70 Feet. Base, 30 Inches.	Length unlimited. Base, 34 Inches.
Height up to 90 Feet.	Length up to 60 Feet. Base, 26 Inches.	Length up to 70 Feet. Base, 30 Inches.	Length unlimited. Base, 34 Inches.
Height up to 80 Feet.	Length up to 45 Feet. Base, 21½ Inches.	Length up to 60 Feet. Base, 26 Inches.	Length unlimited. Base, 30 Inches.
Height up to 70 Feet.	Length up to 30 Feet. Base, 17½ Inches.	Length up to 45 Feet. Base, 21½ Inches.	Length unlimited. Base, 26 Inches.
Height up to 60 Feet.	Length up to 35 Feet. Base, 17½ Inches.	Length up to 50 Feet. Base, 21½ Inches.	Length unlimited. Base, 26 Inches.
Height up to 50 Feet.	Length up to 40 Feet. Base, 17½ Inches.	Length up to 70 Feet. Base, 21½ Inches.	Length unlimited. Base, 26 Inches.
Height up to 40 Feet.	Length up to 30 Feet. Base, 13 Inches.	Length up to 60 Feet. Base, 17½ Inches.	Length unlimited. Base, 21½ Inches.
Height up to 30 Feet.	Length up to 45 Feet. Base, 13 Inches.	Length unlimited. Base, 17½ Inches.	
Height up to 25 Feet.	Length unlimited. Base, 13 Inches.		

4. The above Table is to be used in the same Manner as the Table previously given for the Walls of Dwelling Houses, and is subject to the same Qualifications and Conditions respecting Walls not more than Twenty-five Feet distant from each other. Explanation of Table.

5. The Thickness of the Walls of Buildings of the Warehouse Class at the Top, and for Sixteen Feet below the Top, shall be Thirteen Inches; and the intermediate Parts of the Wall between the Base and such Sixteen Feet below the Top shall be built solid throughout the Space between straight Lines drawn on each Side of the Wall, and joining the Thickness at the Base to the Thickness at Sixteen Feet below the Top, as above determined; nevertheless in Walls not exceeding Thirty Feet in Height the Walls of the Topmost Story may be Eight Inches and a Half Thick. Thickness at Top of Walls and through Intermediate Space.

6. If in any Story of a Building of the Warehouse Class the Thickness of the Wall, as determined by the Rules herein-before given, is less than One Fourteenth Part of the Height of such Story, the Thickness of the Wall shall be increased to One Fourteenth Part of the Height of the Story; but any such additional Thickness may be confined to Piers properly distributed, of which the collective Widths amount to One Fourth Part of the Length of the Wall. Condition in respect of Stories exceeding a certain Height.

7. The Thickness of any Wall of a Building of the Warehouse Class, if built of Materials other than such Bricks as aforesaid, shall be deemed to be sufficient if made of the Thickness required by the above Tables, or of such less Thickness as may be approved by the Metropolitan Board, with this Exception, that in the Case of Walls built of Stone in which the Beds of the Masonry are not laid horizontally no Diminution shall be allowed in the Thickness required by the foregoing Rules for such last-mentioned Walls. Thickness of Walls built of Materials other than such Bricks as aforesaid.

MISCEL-

MISCELLANEOUS.

Cross Walls.

1. The Thickness of a Cross Wall shall be Two Thirds of the Thickness herein-before required for an External or Party Wall of the same Dimensions, and belonging to the same Class of Buildings, but never less than Eight and a Half Inches, and no Wall subdividing any Building shall be deemed to be a Cross Wall unless it is carried up to Two Thirds of the Height of the External or Party Walls, and unless the Recesses and Openings therein do not exceed One Half of the vertical Surface of the Wall in each Story.

Extra Thickness of certain Stone Walls.

2. The Thickness of every Stone Wall in which the Beds of the Masonry are not laid horizontally shall be One Third greater than the Thickness prescribed in the Rules aforesaid.

3. Buildings to which the preceding Rules are inapplicable require the special Sanction of the Metropolitan Board of Works.

SECOND SCHEDULE.

FEES PAYABLE TO DISTRICT SURVEYORS.

PART I.

Fees for new Buildings.

	s.	d
For every Building not exceeding Four hundred Square Feet in Area, and not more than Two Stories in Height - - -	30	0
For every additional Story - - - - -	5	0
For every additional Square of 100 Feet or Fraction of such Square But no Fee shall exceed Ten Pounds.	2	6
And for every Building not exceeding Four hundred Square Feet in Area, and of One Story only in Height, the Fees shall be -	15	0

Fees for Additions or Alterations.

For every Addition or Alteration made to any Building after the Roof thereof has been covered in, the Fee shall be Half of the Fee charged in the Case of a new Building.		
For inspecting the Arches or Stone Floors over or under public Ways - - - - - - -	10	0
For inspecting the Formation of Openings in Party Walls - -	10	0

PART II.

For inspecting dangerous Structures, by Direction of the Commissioners of Police or Sewers - - - - -	20	0

N.B.—In this Schedule "Area" shall include the Area of any attached Building.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

****

CAP. CXXIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [14th *August* 1855.]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expenses of the Regular Militia, and of the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and *Ireland*, and for making in certain Cases Allowances of Retired Pay to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of *Devon* and *Cornwall*, and Allowances to Adjutants, Paymasters, Surgeons, Quartermasters, and Serjeant Majors of the Regular Militia who have been allowed to retire, and to Adjutants, Surgeons, and Quartermasters disabled after long Service: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice

 and

and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary-at-War to issue the Money required for Pay of Regular Militia.

I. The Secretary-at-War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the daily Rates following; (that is to say,)

Rates of Pay.

For each Adjutant of Infantry, Eight Shillings, and of Artillery, Nine Shillings:

For each Serjeant Major of Infantry, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Tenpence, and of Artillery, Three Shillings:

For each Quartermaster Serjeant and Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence; and to the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence:

For each Serjeant of Infantry, One Shilling and Sixpence, and of Artillery, Two Shillings and Twopence:

For each Drummer, Trumpeter, or Bugler above Sixteen Years of Age, One Shilling, and under Sixteen Years of Age, Tenpence:

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant Major or Serjeant shall be absent on Furlough or Licence he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

Contingent Fund.

And also at Rates varying from Two Shillings to Sixpence *per Annum* for each Private Man for defraying the contingent Expenses of each Regiment, Battalion, or Corps, when enrolled:

Clothing.

And the Secretary-at-War for the Time being shall give the necessary Instructions for the Provision of Clothing for each Serjeant Major, Serjeant, and Drummer on the Disembodied Staff of the Militia of *Great Britain* and *Ireland* who shall be resident at Head Quarters, and the said Disembodied Staff shall be entitled to be clothed once in Two Years.

Adjutant, &c. to reside where the Secretary-at-War shall appoint.

II. Except when employed as herein-after provided, every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall reside in such Places as shall be sanctioned by the Secretary-at-War, and every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided,

provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers at the same Time.

Adjutants and Non-commissioned Officers of Militia may be employed in their Counties.

III. Every Adjutant and Non-commissioned Officer of the Regular Militia, when disembodied, and not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea* Hospital, in such Manner as One of Her Majesty's Principal Secretaries of State may determine.

Adjutant to have Charge of the Arms and Clothing and to issue the Money for contingent Expenses on an Order signed by the Colonel.

IV. The Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant, and shall, out of the Allowance directed by this Act to be issued and paid for defraying the contingent Expenses of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expenses, upon an Order in Writing signed by the Colonel or other Commandant, and after Payment of such Sums as aforesaid he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands, (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps,) and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts, so allowed and signed, shall be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money.

Balance to form a Stock Purse.

In Absence of the Adjutant, the Serjeants to be under the Command of the Serjeant Major.

V. In the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Disembodied Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Serjeants shall be under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant; and the said Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

VI. The

Militia Pay.

Militia when called out for Training or Exercise entitled to Pay.

VI. The Officers and Non-commissioned Officers, Drummers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the following daily Rates of Pay and Allowances:

	Infantry.			Artillery.		
	£	s.	d.	£	s.	d.
Colonel	1	2	6	1	2	6
Lieutenant-Colonel	0	15	11	0	15	11
Major	0	14	1	0	14	1
Captain (including non-effective Allowance)	0	10	6	0	10	6
Lieutenant	0	6	6	0	6	6
Ensign	0	5	3	0	5	3
Adjutant, if acting also as Paymaster in Corps consisting of Four Companies and upwards*	0	3	9	0	3	9
" if acting also as Paymaster in Corps consisting of less than Four Companies*	0	2	6	0	2	6
" if acting also as Paymaster and Quartermaster in Corps consisting of Four Companies and upwards*	0	7	0	0	7	0
" if acting also as Paymaster and Quartermaster in Corps consisting of less than Four Companies*	0	4	6	0	4	6
Quartermaster (if not holding a Subaltern's Commission)	0	6	6	0	6	6
" (if holding a Subaltern's Commission)	0	3	6	0	3	6
Surgeon	0	11	4	0	11	4
Assistant Surgeon	0	7	6	0	7	6
Serjeant Major*	0	0	2¾	0	0	6
Quartermaster Serjeant*	0	0	4¾	0	0	4
Paymaster Serjeant*	0	0	4¾	0	0	4
Serjeant (if on the Permanent Staff)	0	0	0¾	0	0	4
" (if not on the Permanent Staff)	0	1	6¾	0	2	6
Corporal	0	1	2¼	0	1	4¼
Drummer, Bugler, or Trumpeter	0	0	1	0	0	3
Private	0	1	0	0	1	2
Command Allowance to the Officer actually in Command during Training and Exercise, if the Pay of Colonel is not drawn	0	3	0	0	3	0
Beer Money to each Non-commissioned Officer, Drummer, and Private present at Training and Exercise	0	0	1	0	0	1

* These Rates of Pay, during Training and Exercise only, are in addition to the Daily Rates of Disembodied Pay granted by Section 1.

Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.

VII. Volunteers may, with the Sanction of the Secretary-at-War, when attached to Regiments of the Line to qualify themselves for the Permanent Staff, either as Serjeants or Drummers, be allowed Pay whilst so under Instruction, but while they remain so attached they will be under the Command of the Officer commanding the Regiment of the Line equally with the Soldiers of that Regiment, and will be subject to the Provisions of the Mutiny Act.

VIII. It

Militia Pay.

VIII. It shall be lawful for the Secretary-at-War to place any Lieutenant, Ensign, and Surgeon's Mate of the Militia of *Great Britain*, or Subaltern Officer and Assistant Surgeon of the Militia of *Ireland*, when unfit for further Duty, upon a retired Allowance equal to and instead of the Allowance granted to him on the disembodying of the Militia at the Termination of the last War; and all such Subalterns, Surgeon's Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the following Declaration; (*videlicet*,)

Secretary-at-War may place certain Officers unfit for Duty upon a retired Allowance, upon making the following Declaration.

'I do solemnly and sincerely declare, That I formerly served as a in the Militia; that I am not in Holy Orders; and that from the Day of to the Day of I did not hold or enjoy any Place or Employment of Profit, Civil or Military, under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, besides my Allowance of *per Diem* as a of the said Militia, except my Half Pay or Civil Pension as a .'

Form of Declaration

IX. It shall be lawful for the Secretary-at-War to place any Paymaster, Surgeon, or Quartermaster, when unfit for further Duty, upon a retired Allowance equal to and instead of his reduced Allowance, which may have been granted in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth; and all such Paymasters, Surgeons, or Quartermasters, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the Declaration annexed to the foregoing Section of this Act.

Power of Secretary-at-War to place certain Paymasters, Surgeons, and Quartermasters unfit for Duty on a retired Allowance equal to and instead of his reduced Allowance.

X. And whereas certain Non-commissioned Officers and Drummers of the Militia of the United Kingdom of *Great Britain* and *Ireland* have, on the Reduction of the Establishment of the Disembodied Staff, been placed on the Out-Pension, although not unfit for further Service: No Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Out-Pension to reduced Non-commissioned Officers and Drummers not to be received while serving.

XI Provided always, That any Person, being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, may receive the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving any such Pay and Allowances by any such

Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.

Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided also, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

Adjutants, &c., Non-commissioned Officers, or Privates, not to lose their Right to Chelsea or Kilmainham Pensions, &c.

XII. Provided always, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer, or Private Man in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Allowance to be made for Medicines

XIII. There shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expense of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Exercise or Training, and also an Allowance of Twopence *per* Week for each of the Non-commissioned Officers and their Families of each Regiment on the Disembodied Staff at Head Quarters, for the Expenses of necessary Medicines and Attendance given to the said Non-commissioned Officers and their Families while such Regiment is not called out for Training and Exercise.

Reduced Adjutants to receive 4*s.* per Day till 31st July 1856.

XIV. In case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction, from the Thirty-first Day of *July* One thousand eight hundred and fifty-five, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirty-first Day of *July* One thousand eight hundred and fifty-six, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who

who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Right to Half Pay reserved.

XV. And whereas certain Adjutants and Serjeant Majors are entitled to and have received certain Allowances in consequence of having been reduced under the Provisions of an Act passed in the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, which Allowances have been continued, and as to such Adjutants augmented to Four Shillings *per Diem:* All such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Thirty-first Day of *July* One thousand eight hundred and fifty-five to the Thirty-first Day of *July* One thousand eight hundred and fifty-six.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44.

XVI. Every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, and continued by any subsequent Act or by this Act, may receive such Allowance, together with any Full Pay, Half Pay, or Allowance which was tenable together with such reduced Allowance under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of King *George* the Third, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of* Great Britain *called* England, or under the Provisions of the aforesaid Act of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under Her Majesty, other than such as aforesaid, or under any other Government, or any Civil Office or Employment under Her Majesty, or any other Government, otherwise than according to the Provisions of this Act in relation to the Allowances granted to Adjutants on account of Age or Infirmity.

Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 G. 3. c. 44. and 26 G. 3. c. 107.

Proviso.

XVII. And whereas certain Allowances have been granted in pursuance of former Acts to Adjutants, Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmity been rendered unfit for further Service: Such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided

Allowances to Adjutants, Surgeons, and Quartermasters.

Provided always, that no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Allowances granted to Adjutants on Completion of certain Periods of Service.

XVIII. The following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland*, on the Completion of the following Periods of Service in Her Majesty's Regular Forces and in the Militia, if unfit, either by Age or Infirmity, for the Performance of the Duties of their Commissions; (that is to say,)

To every Adjutant who shall have completed in the Service a Period of, (*videlicet*,)

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of Three Shillings *per Diem:*

Twenty Years, of which Seven Years as an Adjutant of Militia, an Allowance of Four Shillings *per Diem:*

Twenty-five Years, of which Ten Years as an Adjutant of Militia, an Allowance of Five Shillings *per Diem:*

Thirty Years, of which Fifteen Years as an Adjutant of Militia, an Allowance of Six Shillings *per Diem:*

Provided, that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary-at-War of a Certificate of such Service and Disability; and upon the Order of the Secretary-at-War, founded upon such Certificate, the Paymaster General shall pay to such Adjutant the above Allowance: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary-at-War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive

receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment.

Restrictions as to Allowances to reduced Adjutants of the Local Militia.

XIX. And whereas certain Allowances have been granted to reduced Adjutants of the Local Militia: The said Allowances shall be issued and paid during the Continuance of this Act, under the Restrictions and in the Manner herein-after expressed: Provided always, that in the Cases in which any such Local Militia Adjutants have been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices they had been appointed previously to the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted.

A Declaration to be taken by Adjutants of Local Militia claiming the said Allowance.

XX. Every Adjutant of Local Militia who shall claim under the Authority of this Act to receive any Part of the said Allowance shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace in the United Kingdom, or Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (that is to say,)

'I *A.B.* do solemnly and sincerely declare, That I was serving as
' Adjutant in the of Local Militia at the Reduction of
' the Staff of the said Militia in One thousand eight hundred and
' twenty-nine; and that I was not in Holy Orders during any Part of
' the Period for which I now claim to receive an Allowance, that is to
' say, from the Day of One thousand eight
' hundred and to the Day of One
' thousand eight hundred and ; and that I did not
' hold or enjoy, nor did any Person for me hold or enjoy, during any
' Part of the said Period, any Place, Office, or Employment of Profit,
' Civil or Military, under the Crown or any other Government,
' besides the Allowance of . a Day now claimed,
' except my Half Pay as a [of the Army *or* Navy
' *or* Marines, *or* of a Provisional Battalion formed from the Militia,
' *as the Case may be*].'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Adjutant claiming the Allowance: Provided always, that any Adjutant receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's

Regular Forces, or Navy, or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Allowance to Clerks of General Meetings, &c.

XXI. Where the Militia is raised by Ballot in *Great Britain*, Allowances shall be made and issued to the Clerks of General and Subdivision Meetings of Lieutenancy and others mentioned in Schedule A. to this Act for their Trouble and Expenses in the Execution of the Laws relating to the Militia at the Rates mentioned in the same Schedule; and where the Militia is raised in the United Kingdom otherwise than by Ballot, Allowances shall be made and issued to the Clerks of General Meetings for their Trouble and Expenses in the Execution of such Laws at the Rates mentioned in the Schedule B. to this Act.

Manner of granting Allowances.

XXII. The said Allowances shall be granted as follows; (*videlicet*,) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon*; and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet*,)

Clerks, &c. to make Declaration of the Justness of their Accounts.

Declaration of a Clerk of General or Subdivision Meetings.

'I do solemnly declare, That the preceding Account, 'so far as regards my Interest therein, is a just and true Account 'of Business performed by me for and in behalf of the Public Service, 'according to the Manner therein set forth; and the Sums claimed 'as disbursed were actually paid by me.'

Declaration of a Schoolmaster, Constable, or other Officer in *Scotland*.

'I do solemnly declare, That I am the Parochial 'Schoolmaster [*or* Constable *or other Officer*] of the District 'of in the Subdivision of the County 'of ; and that the preceding Account is a just and 'true Account of Business actually performed by myself for and in 'behalf of the Public Service according to the Manner therein set 'forth; and that I was employed on such Business the full Time 'therein stated; and that the Sums claimed as disbursed were 'actually paid by me.'

And the said Accounts shall be transmitted to the Secretary-at-War, who is hereby empowered to issue the Allowances according to the Rates specified in the respective Tables to this Act annexed, or such Sums as he shall think reasonable and proper.

XXIII. And

Militia Pay.

XXIII. And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from compulsory Service in the Militia by reason of bodily Infirmity, and upon the Fitness for Service of the Persons presenting themselves for Enrolment: It shall be lawful for any Two Deputy Lieutenants and they are hereby empowered and required to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place where any Meeting for Appeals or Enrolment shall be held to attend at such Meeting; and every such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet*,)

Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.

'I do solemnly declare, That I will, to the best of my Ability, faithfully and truly report as to the Fitness for Service of the Man or Men about to be submitted to my Examination, and that I will not receive from any of them any Fee or Reward whatever for any such Examination.'

Declaration to be made by Surgeon.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea, nor exceeding Two Guineas, according to the Extent of the Duty performed: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary-at-War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

Allowance to Surgeon.

XXIV. All Sums of Money granted for the Pay, contingent and other Expenses, and for the Allowances to the Officers and Men of the Regular and Local Militia, when disembodied, shall be issued and paid under the Direction of the Secretary-at-War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

Pay, &c. to be issued under Directions of the Secretary-at-War.

XXV. All Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

Bills drawn for Pay, &c. may be on unstamped Paper.

XXVI. No Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

No Fee to be taken.

XXVII. All

All Things in this Act relating to Counties shall extend to Ridings, Shires, &c.

XXVII. All Things in this Act contained relating to Counties, and to Regiments of Militia respectively, shall be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*.

Continuance of Act.

XXVIII. This Act shall take effect and continue in force from the Thirty-first Day of *July* One thousand eight hundred and fifty-five until the First Day of *September* One thousand eight hundred and fifty-six.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE A.

SCALE of RATES of REMUNERATION to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution the Acts relating to the Militia when the Militia are raised by Ballot.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings at which the Statutory Quorum of Lieutenancy shall be present, each - -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - - -	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets, and the Stannaries of Cornwall and Devon, to return Lists, each	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland to return Lists, each - - - - - - - -	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals - - - - -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D.), for the Privy Council, the Secretary of State, and the Secretary-at-War (the latter Copy to be annexed to the Clerk's Accounts as a Voucher); videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia - - -	2	2	0
In Counties furnishing from 201 to 400 Men - -	3	3	0
Ditto - - from 401 to 600 Men - -	4	4	0
Ditto - - from 601 to 800 Men - -	5	5	0
Ditto - - from 801 Men and upwards -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under -	1	1	0
Ditto - - - from 201 to 400 Men -	2	2	0
Ditto - - - from 401 to 600 Men -	3	3	0
Ditto - - - from 601 to 800 Men -	4	4	0
Ditto - - - from 801 Men and upwards	5	5	0

Militia Pay.

	£	s.	d.
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under - - -	0	5	0
Ditto - 51 to 150 Names - - -	0	10	0
Ditto - 151 to 250 Names - - -	1	0	0
Ditto 251 Names and upwards - - -	1	10	0
8. For drawing out fair Copy of the Lord Lieutenant's annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps - - - - -	0	15	0
Ditto - Two - Ditto - -	1	10	0
Ditto - Three - Ditto - -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.			
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - - - -	2	0	0
Ditto - from 301 to 600 Men - -	3	0	0
Ditto - from 601 to 900 Men - - -	4	0	0
Ditto - from 901 Men and upwards - -	5	0	0
10. For Copyings, Correspondence, &c. &c.:			
To the Clerk of the General Meetings in a County where the Number of the original Quota of the Militia is 200 Men or under - - - - -	2	0	0
In a County furnishing from 201 to 400 Men - -	3	0	0
Ditto - from 401 to 600 Men - -	4	0	0
Ditto - - from 601 to 800 Men - -	5	0	0
Ditto - - from 801 Men and upwards -	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, &c., certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			

TRAINING AND EXERCISE.

12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice - - -	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department in Counties in England and			

	£	s.	d.
Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion - - -	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps - - -	2	0	0
Ditto - Two - Ditto - -	3	0	0
Ditto - Three - Ditto - -	4	0	0

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement - - - -	0	5	0
Or for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter -	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet, For receiving Lists and hearing Appeals, For balloting, For enrolling, And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists - - -	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists - -	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant -	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept - -	0	0	6
And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept - -	0	0	6
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men	£2 per 1,000		
18. For making out the annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is - - 50 Men and under - - -	2	2	0
Ditto from 51 to 150 Men - - -	3	3	0
Ditto from 151 to 250 Men - - - -	4	4	0
Ditto from 251 Men and upwards -	5	5	0

	£	s.	d.
19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; (videlicet,)			
For a Roll containing 50 Names and under - -	0	5	0
Ditto from 51 to 150 Names - - -	0	10	0
Ditto from 151 to 250 Names - - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0
20. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	1	10	0
Ditto from 51 to 150 Men - -	2	0	0
Ditto from 151 to 250 Men - - -	2	10	0
Ditto from 251 Men and upwards - -	3	0	0
21. For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	2	0	0
Ditto from 51 to 150 Men - -	3	0	0
Ditto from 151 to 250 Men - - -	4	0	0
Ditto from 251 Men and upwards - -	5	0	0
22. The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various Forms of Schedules, et cetera:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - -	0	10	0
Ditto from 151 to 250 Men - - -	0	15	0
Ditto from 251 Men and upwards - -	1	0	0

TRAINING AND EXERCISE.

24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 50 Names and under -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0

	£	s.	d.
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivision of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 10 Names and under -	0	0	6
Ditto from 11 to 30 Names - -	0	1	0
Ditto from 31 to 50 Names - -	0	2	6
Ditto from 51 to 70 Names - -	0	4	0
Ditto from 71 to 100 Names - -	0	7	0
Ditto from 100 upwards - - -	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise:			
For a Roll containing 20 Names and under - -	0	2	0
Ditto from 21 to 50 Names - -	0	5	0
Ditto from 51 to 150 Names - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 and upwards - -	1	0	0
26. For correcting the Books of Enrolment of the Subdivision so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - -	0	10	0
Ditto from 151 to 250 Men - - -	0	15	0
Ditto from 251 and upwards - -	1	0	0

ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines - - - - - -	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting -	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day - - - - - - -	0	5	0
31. For Stationery, per Annum - - -	0	5	0

ALLOWANCES TO CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines - - - - -	0	1	0
34. For attending each Meeting of Lieutenancy, per Day -	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day - - - - -	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum - - - -	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the Clerks of General Subdivision Meetings of Lieutenancy respectively.

37. When it is necessary to call the Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expenses not exceeding Ninepence per Mile, and the Expenses of Tolls and Ferry Money; but the Particulars of such Expenses shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's annual Account.

38. The Expense necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

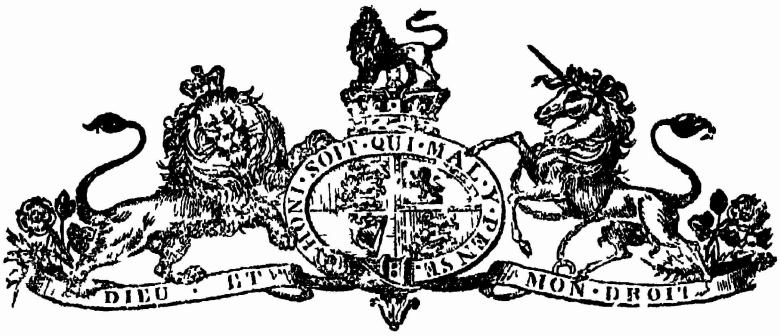
SCHEDULE B.

SCALE of RATES of REMUNERATION to the Clerks of General Meetings for any Duty they may be required to perform under the Acts relating to the Militia, or by Her Majesty's Secretary of State, or (in Ireland) by the Lord Lieutenant, in execution of the Provisions of such Acts when the Militia is raised otherwise than by Ballot.

CLERKS OF GENERAL MEETINGS.

	Per Annum. £	s.	d.
For Trouble in executing the Duty required of them, including Copyings, Correspondence, and Stationery:			
In Counties where the Quota does not exceed 200 -	15	0	0
Where the Quota is			
Above 200, and not exceeding 400 - - -	20	0	0
Above 400, and not exceeding 500 - - -	25	0	0
And where the Quota exceeds 500, the following Additions for every 100, or fractional Part of 100:			
Above 500, and not exceeding 1,000 - - -	4	0	0
Above 1,000, and not exceeding 2,000 - -	3	0	0
Above 2,000, and not exceeding 3,000 - - -	2	0	0
Above 3,000, and not exceeding 4,000 - -	1	10	0
Above 4,000 - - - - - - -	1	0	0
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State, or (in Ireland) of the Lord Lieutenant - - -	2	2	0
The actual Expense incurred in printing or advertising, and for Postage, may be charged.			

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. CXXIV.

An Act to amend the Charitable Trusts Act, 1853.

[14th *August* 1855.]

WHEREAS it is expedient to extend and amend the Charitable Trusts Act, 1853, as herein-after provided: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. "The Charitable Trusts Act, 1853," herein-after called "the principal Act," and this Act, shall be construed together as One Act, and any Provisions of the principal Act inconsistent with this Act are hereby repealed.

16 & 17 Vict. c. 137, and this Act to be construed together.

II. So much of the principal Act (Section IV.) as provides that after the Thirty-first Day of *March* One thousand eight hundred and fifty-seven an annual Salary shall be paid to One only of the Commissioners besides the Chief Commissioner is hereby repealed.

Provision as to the Salary of One of the Commissioners repealed.

III. It shall be lawful for Her Majesty and Her Successors, under the Royal Sign Manual, to appoint additional Inspectors (not exceeding Three in Number) for the Purposes of this Act and the Charitable Trusts Act, 1853, and such additional Inspectors shall hold Office during Pleasure, and shall be possessed of the same Powers, Authorities, and Jurisdiction, and be entitled to the same

Power to appoint additional Inspectors.

Privileges

Privileges and Emoluments, as the Inspectors appointed under the said former Act of One thousand eight hundred and fifty-three.

The Acts of the Board, how to be authenticated.

IV. Every Act of the Board may be sufficiently authenticated by the Seal of the Commissioners, and the Signature of their Secretary, or in his Absence of the Chief Clerk.

Entries in, and Extracts from the Books of the Board, how to be authenticated.

V. All Orders, Certificates, Schemes, and other Documents issued under the Seal of the Board shall be deemed and taken to be the Originals, and Copies thereof shall be entered in the Books of the Board, and all such Entries may be sufficiently certified by the Signature of the Secretary, or in his Absence of the Chief Clerk: Every Order, Certificate, Scheme, and other Document purporting to be sealed with the Seal of the Board shall be received in Evidence without further Proof; and any Writing purporting to be a Copy extracted from the said Books, and to be certified as aforesaid, shall be received in Evidence in like Manner.

The Powers of the Commissioners and Inspectors to inquire into Charities extended.

VI. The Board, or any Commissioner or Inspector, such Inspector acting under the Authority of the Board, may require written Accounts and Statements and Answers to Inquiries relating to any Charity, or the Property or Income thereof, to be rendered or made to them respectively by all or any of the following Persons; that is to say,

Trustees or Persons acting or concerned in the Administration of the Charity, its Property or Income, or in the Receipt or Payment of any Monies thereof:

Agents of any such Trustees or Persons:

Depositaries of any Funds or Monies of the Charity:

Persons in the beneficial Receipt of any Funds thereof, or of any Income or Stipend therefrom:

Persons having the Possession or Control of any Documents concerning the Charity or any Property thereof:

And the Board or the Commissioner or Inspector may require the Persons rendering or making any such Account, Statement, or Answer to verify the same by Oath or otherwise, and may administer such Oath: Provided always, that nothing herein contained shall extend to give to the said Board or their Inspectors any Power of requiring from any Person holding or claiming to hold any Property whatsoever adversely to any Charity, or free or discharged from any Charitable Trust or Charge, any Information, or the Production of any Deed or Document whatever, in relation to the Property so held or claimed adversely, or any Charitable Trust or Charge alleged to affect the same.

Power to require Trustees and

VII. The Board, or any Commissioner or Inspector acting as aforesaid, may require all or any such Trustees and Persons as aforesaid to

to attend before them respectively at such Times and Places as may be reasonably appointed, for the Purpose of being examined in relation to the Charity, and to answer such Questions as may be proposed to them, and to produce upon such Examination any Documents in their Custody or Power relating to the Charity or the Property thereof, and may examine upon Oath or otherwise all such Persons and all Persons voluntarily attending, and may administer such Oath: Provided always, that no Person shall be obliged to travel in obedience to any such Requisition more than Ten Miles from his Place of Abode.

Others to attend and be examined.

VIII. All Requisitions made under the foregoing Authorities shall be made respectively by the Order of the Board, or by Precept, under the Hand of the Commissioner or Inspector making the same.

Precepts or Orders for the preceding Purposes, how to be made.

IX. Any Person refusing or wilfully neglecting to comply with any such Requisition, or with any Order of the Board, made under the Provisions of this Act or the principal Act, or destroying or withholding any Document required to be produced or transmitted by him, shall be taken to be guilty of a Contempt of the High Court of Chancery, and shall be liable to be attached and committed by such Court, on summary Application by the Commissioners to the same Court or to any Judge thereof, and shall pay such Costs attending such Contempt as the said Court or Judge shall direct: Provided always, that the Court may at any Time discharge, on such Terms as it may deem just, any Person attached or committed on any such Application, or on any Application made under Section Fourteen of the principal Act.

Persons not complying with Requisitions, &c. to be deemed guilty of a Contempt of the Court of Chancery.

X. Where any Parish or Ecclesiastical District entitled to the Benefit of a Charity has or shall have been divided into separate Parishes or Ecclesiastical Districts, and no Apportionment of Charities originally applicable to the Parish or District so divided shall have been made by Parliament or other competent Authority, the Board, in respect of all Charities the gross annual Income whereof does not for the Time being exceed Thirty Pounds, may apportion the Benefit of the Charity between each new Parish or District, or any Portion thereof taken from the Parish or District originally entitled to the whole Benefit, and the Remainder of such last-mentioned Parish or District, in such Manner and such Proportions as, upon a Consideration of the Purposes of the Charity, the Population of each Parish or District, and other Circumstances, they may think fit, and may also apportion the principal Endowments between such Parishes or Districts, if it be thought fit, and may appoint separate Trustees of any Part of the Endowments.

Power to apportion Parochial Charities after Division of Parishes.

XI. The Certificate of the Board, that according to their Judgment the gross yearly Income of any Charity does not for the Time being exceed

Evidence as to annual Income of any Charity not

exceeding 30*l.*

exceed Thirty Pounds, shall be sufficient Evidence of the Amount of such annual Income for the Purpose of determining the Jurisdiction under the foregoing Provision.

The Official Trustees of Charitable Funds may be empowered to call for Transfers to them of Stock, &c.

XII. Any Court or Judge having Jurisdiction to order the Transfer of Stock in the Public Funds, or Stock or Shares of any public Company, to the Official Trustees of Charitable Funds, shall have Power also to authorize such Trustees to call for a Transfer of and to transfer such Stock or Shares, and may also order the Payment to the same Trustees of any Principal Monies of any Charity, under the same Circumstances in which the Transfer of Stock to them may now be ordered.

Notices to be given of certain Orders of the Board.

XIII. No Order for apportioning the Benefits of any Charity shall be made by the Board until after such public Notices shall have been given of the Proposal to make the same as the Board may consider expedient for insuring Publicity in each Parish or District in which the Charity is or ought to be applied, or among all Persons interested therein, nor until after the Expiration of One Month from the Publication of such Notice; and every such Notice shall contain (so far as conveniently may be) sufficient Particulars of the proposed Order to show the Objects thereof, and shall prescribe a Time within which any Objections thereto may be stated or transmitted to the Board

Proceedings upon the Receipt of Objections or Suggestions.

XIV. All Objections which may be made to any proposed Order shall be considered by the Board, who may suspend the making thereof for further Inquiry, or may modify the same, as may be found expedient; and a Copy of every such Order when made shall, in the Case of any local Charity, be deposited for the Space of One Month in some convenient Place within the Parish or One of the Parishes or the District in which the Charity is applicable, and also be open to Inspection at the Office of the Commissioners, and such Publicity shall be given thereto among all Persons interested in the Charity as the Board shall consider expedient; or if the Charity be not local, then a Copy of such Order shall be open to Inspection at the Office of the Commissioners, and public Notice thereof shall be given in such Manner as to the Board shall seem fit, and in Cases where there is a special Visitor, Notice shall be given to him.

The Official Trustee of Charity Lands constituted.

XV. The Secretary for the Time being of the Board shall be a Corporation Sole by the Name of "The Official Trustee of Charity Lands," for taking and holding Charity Lands, and by that Name (instead of the Name of "Treasurer of Public Charities") shall have perpetual Succession; and all Land, or Estates or Interests in Land, now vested in the "Treasurer of Public Charities" by that Name shall become, upon the passing of this Act, and by virtue thereof, vested

vested in like Manner and upon the same Trusts in "The Official Trustee of Charity Lands," and all Provisions of the principal Act which have reference to the Treasurer of Public Charities shall operate as if the Name of the "Official Trustee of Charity Lands" had been used therein instead of the Name of "Treasurer of Public Charities."

Power to acting Trustees to grant Leases.

XVI. The acting Trustees of every Charity, or the Majority of them, provided that such Majority do not consist of less than Three Persons, shall have at Law and in Equity Power to grant all such Leases or Tenancies of Land belonging thereto, and vested in the Official Trustee of Charity Lands, as they would have Power to grant in the due Administration of the Charity if the same Land were legally vested in themselves; and all Covenants, Conditions, and Remedies contained in or incident to any Lease or Tenancy so granted shall be enforceable by and against the Trustees or Persons acting in the Administration of the Charity for the Time being, and their Alienees or Assigns, in like Manner as if such Lands had been legally vested in the Trustees granting such Lease or Tenancy at the Time of the Execution thereof, and had legally remained in or had devolved to such Trustees or Administrators for the Time being, their Alienees or Assigns, subject to the same Lease or Tenancy.

Appointments of Official Trustees of Charitable Funds regulated.

XVII. The Lord Chancellor may from Time to Time by Writing under his Hand appoint any Persons to be, jointly with the Secretary for the Time being of the said Board, the Official Trustees of Charitable Funds, and remove any such Trustees, and every such Appointment or Removal shall be published in the *London Gazette*.

Such Trustees to have perpetual Succession, and may hold Funds in that Name.

XVIII. The present Official Trustees of Charitable Funds, and their Successors, to be so appointed, shall have perpetual Succession by the Name of "The Official Trustees of Charitable Funds," and may hold by that Name Stock in the Public Funds, and Stock and Shares of any public Company, Securities, and Monies, which shall respectively devolve to their Successors, the Official Trustees of Charitable Funds for the Time being, without Transfer or Assignment.

Funds to vest in the Official Trustees for the Time being.

XIX. All Stock in the Public Funds vested in the joint Names of *Henry Morgan Vane*, *Thomas Hare*, and *Walker Skirrow*, Esquires, the present Official Trustees of Charitable Funds, shall upon the passing of this Act be transferred by the Governor and Company of the Bank of *England* from their Names to the Account of the Official Trustees of Charitable Funds.

The Official Trustees to keep Banking Account.

XX. The Official Trustees of Charitable Funds shall, for the Purposes of their Trust, keep a Banking Account in their official Name

Name in the Books of the Governor and Company of the Bank of *England*, and the Secretary of the Board shall keep separate Accounts of the Monies held upon such Account, and belonging to each separate Charity.

Mode of drawing on the Banking Account.

XXI. All Orders for Payment of any Money held upon such Banking Account shall be signed by One at least of the Official Trustees of Charitable Funds, not being the Secretary of the Board, and also by the Secretary, and shall be countersigned by One of the Commissioners, or shall be otherwise signed or authenticated in such Manner as the Lord Chancellor shall from Time to Time by Order under his Hand direct; and such Orders shall be a sufficient Authority to the Bank paying the same for all such Payments.

Trustees may transfer Stock to Official Trustees.

XXII. Any Trustee or other Person may, on obtaining an Order of the Board for the Purpose, transfer any Stock or pay any Money to the Official Trustees of Charitable Funds in trust for any Charity.

As to Disposal of Principal Monies paid to them.

XXIII. All Principal Monies belonging to any Charity directed to be paid to the Official Trustees of Charitable Funds shall be paid to their Account at the Bank, and, subject to any Order of the Court or Judge or of the Board by which respectively the Payment shall have been authorized, shall be forthwith invested in the Public Funds in the Names of the Official Trustees of Charitable Funds, for the Benefit of the Charity to which they shall belong.

All Dividends and Interest due to the Official Trustees of Charitable Funds to be placed to their Banking Account.

XXIV. The Dividends arising from all Stock in the Public Funds standing in the Name of the Official Trustees of Charitable Funds shall from Time to Time be received by the Governor and Company of the Bank of *England*, under the Authority of this Act, for the Credit of the said Official Trustees, and shall be placed to their Banking Account accordingly; and all Dividends and Interest arising from any other Stock, Shares, or Securities standing in the Name of or held by the Official Trustees of Charitable Funds shall be paid only to the Governor and Company of the Bank of *England* for the Account of the same Trustees; and the said Trustees shall from Time to Time execute to the said Governor and Company all such Powers as shall be found necessary for enabling them to receive and give effectual Discharges for the last-mentioned Dividends and Interest.

For the Regulation of Transfers and Payments to or by the Official Trustees.

XXV No Transfer of any Stock, Shares, or Securities shall be made to the Official Trustees of Charitable Funds, nor shall any Money, other than the Dividends or Interest of any such Stock, Shares, or Securities as aforesaid, be paid to their Account, except in pursuance of an Order of the Court of Chancery, or of some Judge thereof, or of a District Court of Bankruptcy or County Court, or of

of the Board; and no Transfer of any such Stock, Shares, or Securities shall be made by the Official Trustees, except under the Order of such Court or Judge, or under the Order of the Board signed by Two Commissioners, or authenticated in such Manner as the Lord Chancellor from Time to Time by any Order under his Hand direct; and no Transfer to or by the Official Trustees shall be permitted by the Governor and Company of the Bank of *England* or any other Company contrary to this Provision.

Copies of Orders affecting the Account of the Official Trustees to be sent to the Board.

XXVI. Copies of all Orders made by any Court or Judge for any Transfer, Deposit, or Payment of Stock, Shares, Securities, or Monies to or by the Official Trustees of Charitable Funds shall be forthwith transmitted to the Board by the Parties obtaining such Orders.

Indemnity to the Bank and others.

XXVII. Every Order made under the principal Act or this Act, requiring or authorizing the Transfer, Payment, or Deposit of any Stock, Shares, Securities, or Monies to or with the Trustees of any Charity or the Official Trustees of Charitable Funds, or conferring a Right to call for or to make such Transfer, shall be a complete Indemnity to the Governor and Company of the Bank of *England* and all Companies and Persons for any Act done pursuant to such Order; and the said Governor and Company and other Companies and Persons shall be required to give effect or to conform to every such Order, and it shall not be necessary for them to inquire concerning the Propriety of such Order, or the Jurisdiction of the Court or Judge or the Board to make the same.

Dividends on Stock in Name of Official Fund Trustees to be carried to Account free from Income Tax.

XXVIII. All Dividends arising from any Stock in the Public Funds standing in the Name of the Official Trustees of Charitable Funds, and which shall be certified by the Board to the Governor and Company of the Bank of *England* to be exempt from the Property or Income Tax, shall be paid or carried to the Banking Account of the Official Trustees without any Deduction of such Tax; and all Dividends arising from any Stock in the Public Funds standing in any other Names or Name, and which the Board shall certify to the Governor and Company of the Bank of *England* to be subject only to Charitable Trusts, and to be exempt from such Tax, shall be paid without any Deduction thereof.

Restrictions of Charges and Leases of Charity Estates.

XXIX. It shall not be lawful for the Trustees or Persons acting in the Administration of any Charity to make or grant, otherwise than with the express Authority of Parliament, under any Act already passed or which may hereafter be passed, or of a Court or Judge of competent Jurisdiction, or according to a Scheme legally established, or with the Approval of the Board, any Sale, Mortgage, or Charge of the Charity Estate, or any Lease thereof in reversion after more than Three

Three Years of any existing Term, or for any Term of Life, or in consideration wholly or in part of any Fine, or for any Term of Years exceeding Twenty-one Years.

Sinking Fund to be provided for paying off Mortgages in lieu of Provision in Mortgage Deeds.

XXX. So much of Section Twenty-one of the principal Act as requires a compulsory Provision to be inserted in every Mortgage for the Payment of the Principal Money borrowed by annual Instalments, and for the Redemption and Reconveyance of the mortgaged Estates within the Period of not more than Thirty Years, is hereby repealed; but the Board authorizing any Mortgage to be made of any Charity Estate shall make such Provisions, by the same or any other Order, as to them may seem necessary, for directing the Trustees or Persons administering the Charity to discharge the Principal Debt or any Part thereof by such yearly or other Instalments within Thirty Years from the Date of the Security as to the said Board may seem fit, or to form an Accumulation or Sinking Fund out of the Income of the Charity for discharging the Principal Debt or any Portion thereof within the same Period, and shall give Directions as to the Investment and Accumulation of such Fund, and the Trustees for the Time being, or Persons administering the Charity, shall carry such Order into effect.

Extension of Power of Board as to Compromise of Claims.

XXXI. The Twenty-third Section of the principal Act shall extend to authorize a Compromise or Adjustment of any Claim, Demand, or Cause of Suit against any Charity, or the Trustees or Administrators thereof, and the Order of the Board in relation thereto shall have the like Effect as in the Case of any Compromise or Adjustment for which Provision is made by the said Section.

Board may authorize Payment for Equality of Exchange or Partition.

XXXII. The Board may authorize the Application of any Funds belonging to any Charity in Payments for Equality of Exchange or Partition, or in Payment of any Expenses incident thereto, or may authorize the Trustees to raise any Money for such Purposes by Mortgage of any Land acquired on such Exchange or Partition, or belonging to the Charity.

Power to ascertain Lands charged with Rents to Charities.

XXXIII. Where there shall be Uncertainty as to the specific Part of any Lands out of which any Rent, Annuity, or other periodical Payment, not exceeding the yearly Sum of Ten Pounds, charged upon some Part of the same Lands, for the Benefit of a Charity, shall be payable, it shall be lawful for the Board, upon the Application of the Trustees or Persons acting in the Administration of the Charity, and with the Consent of the Persons interested, according to the aforesaid Definition of "Persons interested," in the same Lands, to determine by their Order the Land charged with such Rent, Annuity, or other periodical Payment, which shall thenceforth stand charged with

with such Rent, Annuity, or periodical Payment accordingly, to the Exoneration of the Residue of such Lands therefrom.

XXXIV. The Expenses incident to the Application for and procuring of any such Order of Exchange or Partition, or Order determining the Land charged with any Rent, Annuity, or periodical Payment, shall be paid by the Trustees or Administrators of the Charity, or by the other Parties to such Transactions, or by both, as the Board may direct.

Expenses of Exchanges and Partitions, and determining Application of Charges.

XXXV. Any incorporated Charity, or the Trustees of any Charity, whether incorporated or not, may, with the Consent of the Board, invest Money arising from any Sale of Land belonging to the Charity, or received by way of Equality of Exchange or Partition, in the Purchase of Land, and may hold such Land, or any Land acquired by way of Exchange or Partition, for the Benefit of such Charity, without any Licence in Mortmain.

Incorporated Charities and Trustees for Charities may re-invest in Land.

XXXVI. All Orders of the Board for the Investment of Money coming to any Charity or the Trustees thereof on any Sale, Exchange, or Partition shall be carried into effect by the Trustees or Persons administering the Charity; and all Monies which the Board shall order to be provided out of any Income or Property of a Charity for the Payment of the Costs of any such Transaction shall be provided or raised by the Trustees or Administrators of the Charity, and applied accordingly.

Order of Board for Investments to be carried into effect, and Cost to be raised.

XXXVII. It shall be lawful for the Board to authorize or order and direct the Official Trustee of Charity Lands and the Official Trustees of Charitable Funds respectively to convey Lands, and to assign, transfer, and pay over Stocks, Funds, Monies, and Securities, as the Board shall think expedient.

Board may direct Official Trustees to convey Lands, &c.

XXXVIII. All Leases, Sales, Exchanges, Partitions, and Transactions authorized by the Board under the principal Act or this Act shall be valid and effectual, notwithstanding the Act of the Thirteenth Year of the Reign of Queen *Elizabeth*, Chapter Ten, the Acts of the Fourteenth Year of the same Queen, Chapters Eleven and Fourteen, the Acts of the Eighteenth Year of the same Queen, Chapters Six and Eleven, the Act of the Thirty-ninth Year of the same Queen, Chapter Five, and the Act of the Twenty-first Year of the Reign of King *James* the First, Chapter One, or any disabling Act applicable to the Charity the Estates whereof shall be the Subject of any such Transaction.

Leases, &c. to be valid, notwithstanding disabling Acts.

XXXIX. It shall be lawful for the Board to prepare, and under their Seal to approve of, any Scheme for the letting of the Property or any Part

Board may approve Schemes for

letting Charitable Property.

Part of the Property of any Charity; and all Leases granted by any Trustees or Persons acting in the Management of any Charity, pursuant to or in conformity with such Scheme, shall be valid.

Power to refer Bills of Costs in Charity Matters to Taxation.

XL. The Board may order the Bill of Costs or Charges claimed by any Attorney or Solicitor on account of Business conducted or transacted by him on behalf of any Charity, or the Trustees thereof, to be examined and taxed by the Taxing Masters of the Court of Chancery, or by the proper Taxing Officers of any of the Superior Courts at *Westminster*, who shall proceed to examine and tax the same Bill accordingly; and if the same shall be reduced upon such Taxation by the Amount of One Sixth Part or more of the Amount thereof, the Costs of the Taxation shall be paid by such Attorney or Solicitor, but otherwise out of the Funds of the Charity by the Trustees thereof; and the Board may, after being satisfied as to any Bill that it contains exorbitant Charges, order any such Bill to be so taxed, notwithstanding that the same may have been paid by the Trustees of the Charity at any Period not more than Six Calendar Months previously to such Order; and any Amount taxed off any such paid Bill shall be a Debt due from the Attorney or Solicitor to the Trustees of the Charity, and shall be forthwith paid by him to such Trustees accordingly.

Construction of Sect. 27. of 16 & 17 Vict. c. 137.

XLI. Section Twenty-seven of "The Charitable Trusts Act, 1853," shall be construed and operate as if the Words "and the "Trustees of the Charity shall be legally authorized to purchase and "hold such Land" had been omitted therefrom; and incorporated Trustees of any Charity shall be competent to purchase and hold Lands for the Purposes mentioned in the same Section without Licence in Mortmain.

Deeds, &c. relating to Charities may be enrolled at the Office, and Copies to be Evidence.

XLII. Any Deed, Will, or Document relating to any Charity may be enrolled by the Board in Books to be provided and kept by them for that Purpose at their Office, and a Copy of any such Deed, Will, or Document made from such Books, and certified under the Hand of the Secretary or One of the Commissioners, shall be received as Evidence of the Contents of the same Deed, Will, or Document.

Construction of Sects. 55. and 59. of 16 & 17 Vict. c. 137.

XLIII. The Fifty-fifth and Fifty-ninth Sections of the principal Act shall be construed and operate as if the Words "The Office of the Board" had been inserted therein in the Place of the Words "the Office in *London* of the Registrar of County Courts Judgments."

Amendment of Sect. 61. of 16 & 17 Vict. c. 137. and

XLIV. Section Sixty-one of "The Charitable Trusts Act, 1853," except so much thereof as enacts that the Trustees or Persons acting in the Administration of every Charity shall, in Books to be kept by them for

other Provision made as to the annual Returns of Accounts by Trustees of Charities.

for that Purpose, regularly enter or cause to be entered full and true Accounts of all Money received and paid respectively on account of such Charity, shall be repealed as to all Accounts which such Trustees or Administrators shall not have been bound to render before the passing of this Act; and the Trustees or Administrators of every Charity shall, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-six, prepare and make out and transmit to the Board an Account of the Endowments then belonging to the Charity, showing in the Case of Realty not in hand the Manner in which the same is let or occupied, and in the Case of Personalty the existing Investment or Employment thereof, and in what Names such Investments are made; and such Trustees or Administrators shall also on or before the Twenty-fifth Day of *March* next after the Acquisition of any Endowment not included in the foregoing Account prepare and make out, in like Manner, and transmit to the Board, a similar Account of such last-mentioned Endowment, and in case of any Alienation, or Charge, or Transfer of any Real or Personal Estate of the Charity, shall on or before the Twenty-fifth Day of *March* then next following transmit to the Board an Account of such Alienation, Charge, or Transfer, and such Trustees or Administrators shall also, on or before the Twenty-fifth Day of *March* in every Year, or such other Day as may be fixed for that Purpose by the Board, or as may have been already fixed for rendering the Accounts thereof required by the principal Act, prepare and make out the following Accounts in relation thereto; (that is to say,)

(1.) An Account of the gross Income arising from the Endowment, or which ought to have arisen therefrom during the Year ending on the Thirty-first Day of *December* then last, or on such other Day as may have been appointed for this Purpose by the Board:

(2.) An Account of all Balances in hand at the Commencement of the Year, and of all Monies received during the same Year on account of the Charity:

(3.) An Account for the same Period of all Payments:

(4.) An Account of all Monies owing to or from the Charity, so far as conveniently may be:

which Accounts shall be certified under the Hand of One or more of the said Trustees or Administrators, and shall be audited by the Auditor of the Charity, if any; and the said Trustees or Administrators shall, within Fourteen Days after the Day appointed for making out such Accounts, deliver or transmit a Copy thereof to the Commissioners at their Office in *London*, and in the Case of Parochial Charities shall deliver another Copy thereof to the Churchwarden or Churchwardens of the Parish or Parishes with which the Objects of such Charities are identified, who shall present the same at the next General Meeting of the Vestry of such Parishes, and insert a Copy thereof in the Minutes of the Vestry Book; and every such

Copy

Copy shall be open to the Inspection of all Persons at all seasonable Hours, subject to such Regulations as to the said Board may seem fit; and any Person may require a Copy of every such Account or of any Part thereof, on paying therefor after the Rate of Twopence for every Seventy-two Words or Figures.

Board may make Orders as to Delivery and Publication of Account by Trustees, &c.

XLV. The Board may from Time to Time make such Orders as they may think fit in relation to the Delivery or Transmission of the said Accounts, and the Forms of such Accounts, and such Orders shall be executed by all Trustees and Persons from whom the Accounts to which they may relate are required.

Application of Sect. 64. of 16 & 17 Vict. c. 137.

XLVI. The Sixty-fourth Section of the principal Act shall apply as well to Members of any Charity within the Operation of that Act as to Members of any Charity exempted from the Operation thereof.

Acts not to apply to Roman Catholic Charities until 1st Sept. 1856.

XLVII. Neither this Act nor the principal Act shall, until the First Day of *September* One thousand eight hundred and fifty-six, extend or be in any Manner applied to Charities or Institutions the Funds or Income of which are applicable exclusively for the Benefit of Persons of the Roman Catholic Persuasion, and which are under the Superintendence and Control of Persons of that Persuasion, nor shall anything in this Act extend to any of the Cases which by the Sixty-second Section of the principal Act are excepted from the Operation thereof.

As to the Term "Charity."

XLVIII. In the Construction of the principal Act and this Act the Word "Charity" shall include every Institution in *England* or *Wales* endowed for charitable Purposes, but shall not include any Charity or Institution expressly exempted from the Operation of the Act of 1853, and Words applying to any Person or Individual shall apply also to a Corporation, whether sole or aggregate.

Act not to extend to Eton or Winchester.

XLIX. Nothing in this Act or in the principal Act contained shall extend to the Colleges of *Eton* and *Winchester*, or either of them.

Short Title.

L. This Act may be cited as "The Charitable Trusts Amendment Act, 1855."

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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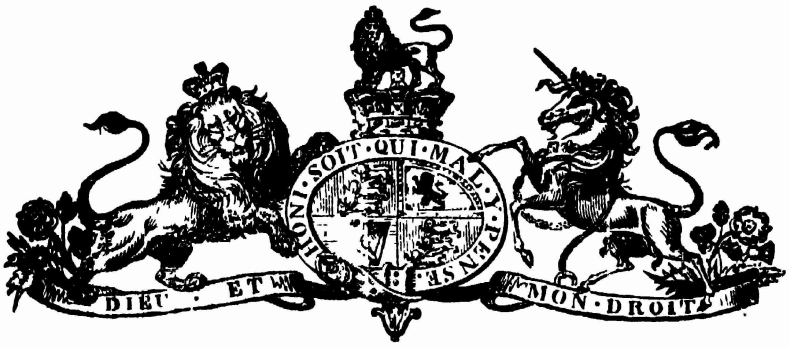

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

***

Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Limitation of Rates to be levied in the Borough of Middlesbrough

II. Provided always, That the Rates leviable within the Borough of *Middlesbrough* as constituted by the Provisional Order in the Schedule to this Act, under the Public Health Act, 1848, whether for the Purposes of the said last-mentioned Act, or for the Purposes of so much of the Local Act in the said Order mentioned or referred to as remains unrepealed by the said Provisional Order, shall not exceed in any One Year the Sum of Four Shillings in the Pound upon the net annual Value of Property assessable thereto within such Borough, except Property consisting of Land used as Arable, Meadow, or Pasture Ground only, or as Woodland, Market Gardens, or Nursery Grounds, Land covered with Water, or used only as a Canal or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance; and as to such excepted Property, the Rates so leviable shall not in any One Year exceed in the whole the Sum of Ninepence in the Pound upon the net annual Value of such excepted Property.

First Election of Local Board of Windhill.

III. The First Election of the Local Board of Health for the District of *Windhill*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five.

First Election of Local Board of Christchurch.

IV. The First Election of the Local Board of Health for the District of *Christchurch*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five.

First Election of Local Board of Keighley.

V. The First Election of the Local Board of Health for the District of *Keighley*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five.

First Election of Local Board of Tunstall

VI. The First Election of the Local Board of Health for the District of *Tunstall*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five.

Act incorporated with Public Health Act.

VII. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act.

Short Title.

VIII. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1855."

SCHE-

SCHEDULE to which this Act refers.

MIDDLESBROUGH.

Provisional Order for the Application of the Public Health Act to the Borough of Middlesbrough, in the North Riding of the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS, upon the petition of not less than one tenth of the inhabitants rated to the relief of the Poor of and within the Borough of Middlesbrough, in the North Riding of the County of York, and within the boundaries of the said borough, as fixed for the purposes of an Act passed in the sixth year of the reign of King William the Fourth, intituled "An Act to provide for the regu-" lation of Municipal Corporations in England and Wales," We, the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Borough, within and throughout the said boundaries, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Borough, for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Borough, or having relation to the purposes of the said Act; also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act.

And whereas copies of the said Report, accompanied by a notice, stating that written statements might be forwarded to the said Board with respect to any matter contained in or omittted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Report that there is a certain Local Act of Parliament in force within the said Borough, having relation to the purposes of the said Public Health Act; (that is to say,) An Act passed in the fourth and fifth years of the reign of Queen Victoria, intituled "An Act for paving, " lighting, watching, cleansing, and otherwise improving the Town of Middles-" brough, and the neighbourhood thereof, in the North Riding of the County " of York and for establishing a market therein."

And

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Borough; and that provision should be made with respect to the said Local Act of Parliament, and the partial repeal, alteration, extension, and further execution thereof; but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order under my hand and seal of office, direct:—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—In the construction of this Order, the same meanings shall be assigned to certain expressions which are assigned to them by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's printers, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.

2.—"The Public Health Act, 1848," and every part thereof relating to corporate districts, except the section numbered 95 in the copies of that Act printed by Her Majesty's printers, shall apply to the area comprised within the boundaries of the said Borough of Middlesbrough, as defined in the Charter of Incorporation of the said Borough.

3.—The Mayor, Aldermen, and Burgesses of the said Borough shall be, by the Council of the said Borough, the Local Board of Health under the said Public Health Act.

4.—Such parts of the said Local Act as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.

5.—The powers, authorities, and duties of the Commissioners for the time being acting in execution of the said Local Act shall cease; and such of them as are granted or imposed by the unrepealed parts of the said Local Act shall, so far as they are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Public Health Act, and for this purpose the unrepealed parts of the said Local Act shall be incorporated with the said Public Health Act as applied to the said Borough, and all places within the Limits of the said Borough shall be subject to the unrepealed parts of the said Local Act.

6.—The said Local Board shall be the Commissioners for executing the unrepealed parts of the said Local Act.

7.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board of Health upon the same trusts, and for the same purposes, as by such Commissioners.

8.—All debts, monies, and securities for money contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such

parts

parts of the said transferred property and estate as would have been chargeable therewith, if this Order had not been made; and shall be paid and satisfied by the said Local Board, as by such Commissioners.

9.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

10.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the exclusive use of the same parts and to the same purposes as it would have been if this Order had not been made.

11.—All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and which shall not be defrayed out of monies arising under such Local Acts, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

12.—Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order; but notwithstanding this Order, and the Schedule thereto, all such things shall be as valid with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same manner, in all respects, as if they related to that Board, instead of such Commissioners.

13.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be without prejudice to any penalties incurred under the said Local Act, but all such penalties may be recovered by the said Local Board of Health according to the provisions of this Order.

Given under my Hand and under the Seal of the General Board of Health, this Eighteenth day of July, in the Year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The parts of the said Local Act referred to in this Order to be repealed are as follows; (that is to say,)

The sections numbered respectively in the copies of the said Act printed by the Queen's printers 1 to 88, 111 to 114, 238 to 250, 252 to 281, all inclusive, and 283.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any byelaw of the Local Board of Health, made under and by virtue of the said Public Health Act, at an amount other than that fixed by the said first-mentioned Act.

WINDHILL.

Provisional Order for the Application of the Public Health Act to the District of Windhill, in the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS it having been ascertained from the last return for the time being made up by the Registrar General of Births, Deaths, and Marriages, that the annual number of deaths within the boundaries of the Township of Idle, in the West Riding of the County of York, has on the average of seven years exceeded the proportion of twenty-three to a thousand of the population of such Township, the General Board of Health directed William Ranger, one of their Superintending Inspectors, to visit the said Township, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Township, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice, stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it having appeared to the said General Board that the boundaries which might be most advantageously adopted for the purposes of the Act were not the same as those of the said township with respect to which the said inquiry had been made, the said Board caused the said William Ranger to visit the parts within the boundaries proposed to be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and did make further inquiry and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said last-mentioned Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed; and all such statements

statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to so much of the said township of Idle as is included within the boundaries described in the Schedule to this Order, and being the same within which the said inquiry and further inquiry have been made; but the same cannot be done without the authority of Parliament.

Now, therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under my hand and seal of office, direct:—

That from and after the passing of any Act of Parliament confirming the present Order,—

1.—The Public Health Act, except the Section numbered 50 in the copies of that Act printed by Her Majesty's printers, shall apply to so much of the said township of Idle as is described in the Schedule to this Order annexed, and the said district shall be called the district of Windhill.

2.—The Local Board of Health for the said district shall consist of nine persons, and the entire number shall be elected for the whole of the said district.

3.—One third in number of the persons so elected shall go out of office on the twenty-fifth day of March in each year subsequent to that of the first election of the said Local Board.

4.—Every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be resident, as in the Public Health Act, 1848, is required, and be seised or possessed of real or personal estate, or both, to the value or amount of not less than three hundred pounds, or shall be so resident and rated to the relief of the poor of some parish, township, or place of which some part is within the said district, upon an annual value of not less than ten pounds.

5.—At the first election of the said Local Board, Thomas Crabtree, of Windhill aforesaid, worsted spinner and manufacturer, shall have the powers and perform the duties which it may be requisite for him to perform in conducting the said first election; and in case the said Thomas Crabtree, from illness or other sufficient cause, shall be unable to discharge such duties, or shall be absent, or shall refuse to act, then William Thomas, of Windhill aforesaid, cloth manufacturer, shall perform such of those duties as then remain to be exercised or performed.

6.—The fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election, shall be given to the said Thomas Crabtree, at his manufactory, in Windhill aforesaid, or in case he shall refuse or be unable to receive the same, then to the said William Thomas, at his residence, within the aforesaid district.

Given under my Hand and under the Seal of the General Board of Health, this Thirty-first day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Public Health (No. 2.)

Schedule to which this Order refers.

The following is the description of the boundary of the district of Windhill referred to in the above Order:

The boundary of the district of Windhill, in the township of Idle, in the county of York, commencing at the centre of the Bradford Brook, then runs along a fence forming the northern boundary of a field marked No. 85, and belonging to Thomas Crabtree, Esq.; then across the towing-path of the Bradford and Shipley Canal, marked No. 81, and belonging to the Bradford Canal Company; then across the Bradford and Shipley Canal, and belonging to the Bradford Canal Company; then along a fence forming the northern boundary of a garden marked No. 73, and belonging to Mr. James Sugden; then along a fence forming the northern boundary of a field marked No. 71, and belonging to John Whitley, Esq.; then across an occupation road up to and along a fence forming the northern boundary of a field marked No. 62, and belonging to the trustees of Joseph Hobson; then along a fence forming the northern boundary of a field marked No. 31, and belonging to Mr. Isaac Wilcock; then along a line of fence forming the northern boundary of a field marked No. 61, and belonging to Mrs. Whitelock; then along the fence forming the northern boundary of a field marked No. 60, and belonging to the Earl of Rosse; then across and along the eastern side of a highway to a point in the fence forming the western side of a field marked No. 346, and belonging to Mrs. Mary Rycroft; then along a fence forming the northern boundary of the last-named field marked No. 346, and belonging to the said Mrs. Mary Rycroft; then along a fence forming the northern boundary of a field marked 340, and belonging to John Whitley, Esq.; then along a fence forming the northern boundary of a field marked No. 360, and belonging to Mr. William Hodgson; then along a line of fence forming the northern boundary of a field marked No. 367, and belonging to C. H. Dawson, Esq.; then to a point opposite the northern side of a highway, and along a line of fence, forming the northern boundary of a field marked No. 412, and belonging to Mr. John Clark; then along the northern side of a road to a line of fence forming the northern boundary of a field marked No. 300, and belonging to Mr. Wright; then along a line of fence forming the northern boundary of a field marked No. 660, and belonging to the Rev Mr. Edmonson; then along a line of fence forming the northern side of the fields marked Nos. 661 and 662, and belonging to C. H. Dawson, Esq.; then along a line of fence forming the southern sides of the fields marked Nos. 663 and 670, and belonging to C. H. Dawson, Esq.; then across a highway to a point opposite the southern side of a cross road; then along the northern side of a road to a corner of the fence forming the south and west sides of the fields marked Nos. 267 and 268, and belonging to the Earl of Rosse; then along a line forming the southern side of the Leeds and Bradford Railway, to a point in the centre of the Bradford Brook; then along the centre of the said brook to the first-named point. The figures herein-before cited in the description of the said boundary refer to those on the plan of Windhill prefixed to the second report on Idle made by Mr. Ranger to the General Board of Health, and dated 4th February 1854.

CHRISTCHURCH.

Provisional Order for the Application of the Public Health Act, 1848, to the District of Christchurch, in the County of Monmouth.

General Board of Health.

Whereas in pursuance of the Public Health Act, 1848, the General Board of Health, appointed for the purposes of the said Act, upon the joint petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Parish of Christchurch, in the County of Monmouth, (the number of the said petitioners exceeding thirty in the whole,) directed Thomas Webster Rammell, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Parish, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial-grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Parish for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Parish, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice stating that within the time directed by the said Act written statements might be forwarded to the said Board, with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it having appeared to the said General Board that the boundaries which might be most advantageously adopted for the purposes of the said Act were not the same as those of the said Parish with respect to which the said inquiry had been made, the said Board caused Alfred Lamerte Dickens, another of the Superintending Inspectors appointed for the purposes of the said Act, to visit the parts within the boundaries proposed to be adopted for the purposes of the said Act.

And whereas the said last herein-before named Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and of the boundaries proposed to be adopted for the purposes of the said Act; and did make further inquiry, and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that within the time directed by the said Act written statements might be forwarded to the said Board with respect to any matter contained in or

omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act; and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the Parish of Christchurch, that is to say, within the same boundaries as those within and with respect to which the said inquiry and further inquiry have been made; but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order, under my hand and official seal, order and direct, That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order,—

1.—The Public Health Act, 1848, and every part thereof, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area, places, and parts of places comprised within the boundaries set forth and described in the Schedule to this Order annexed, and shown by the red line on the map accompanying Mr. Rammell's printed Report to the General Board of Health, bearing date the 5th April 1854, being the parts within which the said inquiry and further inquiry have been made, and that such area, places, and parts of places shall be and constitute a district, for the purposes of the said Public Health Act, called the Christchurch District.

2.—That the Local Board of Health, to be elected under the said Public Health Act, shall consist of nine persons, to be elected for the whole of the said District.

3.—That one third in number of the said Local Board shall go out of office on the Thirty-first day of March in each year subsequent to that in which the first election of the said Local Board takes place.

4.—That every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office, by virtue of such election, be resident, as in the Public Health Act, 1848, is required, and be seised and possessed of real or personal estate, or both, to the value or amount of not less than seven hundred pounds, or shall be so resident and rated to the relief of the poor of the said parish, or of some township or place of which some part is within the said District, upon an annual value of not less than twenty pounds.

5.—That at the first election of the said Local Board, Thomas Morgan Llewellin, of Newport, shall have the powers and perform the duties vested in or imposed upon the chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Thomas Morgan Llewellin, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then William Graham, Land Agent, of Maindee, shall exercise and perform such of the said powers and duties as then remain to be exercised

exercised or performed; and the said chairman may be elected a member of the said Local Board.

6.—That the fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said Thomas Morgan Llewellin at Mr. William Graham's residence, Gore House, Maindee; or in case he shall refuse or be unable to receive the same, then to the said William Graham, at his residence, Gore House aforesaid.

Given under my Hand and under the Seal of the General Board of Health, this Thirty-first day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

THE boundary of the District of the Christchurch Local Board of Health, referred to in the preceding Order, commences at a point where the boundary of the district of the Newport Local Board of Health intersects the southern side of the Old Christchurch Road, thence proceeds easterly along the southern boundary of such road until it reaches a fence dividing the properties of Messrs. Edward Locke and James Rennie; thence it continues in a south-westerly direction along that fence dividing the properties of James Rennie on the south-east from the properties of Edward Locke, William Evans, Henry Farr, and William Graham, until it reaches the turnpike road leading from Newport to Chepstow; thence it turns in a north-westerly direction along the northern side of that road as far as a stream of water known as Eve's Well Stream. It then follows the course of that stream in a southerly direction, crossing the line of the South Wales Railway, until it reaches the northern angle of a field belonging to Sir Thomas Phillips, numbered in the tithe map 978. It then follows the northern boundary of Sir Thomas Phillips's land until it intersects the district of the Newport Local Board of Health, and continues in a northerly direction along the boundary of such district to the point first named.

KEIGHLEY.

Provisional Order for the Application of the Public Health Act, 1848, to the Town of Keighley, in the West Riding of the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS in pursuance of the Public Health Act, 1848, the General Board of Health, appointed for the purposes of the said Act, upon the joint petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Town of Keighley in the West Riding of the County of York, (the number of the said petitioners exceeding thirty in the whole,) directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Town, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any

any Local Acts of Parliament in force within the said Town for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Town, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries and the boundaries which might be most advantageously adopted for the purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it appears upon such Report that there is a certain Local Act in force within the said Town having relation to the purposes of the said Public Health; that is to say, an Act passed in the Fifth Year of the Reign of King George the Fourth, intituled "An Act for paving, lighting, cleansing, "watching, regulating, and otherwise improving the town of Keighley, within "the parish of Keighley, in the West Riding of the County of York."

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Town, and within the same boundaries as those within and with respect to which the said inquiry and further inquiries have been made, and that provision should be made in respect to the said Local Act of Parliament, and the repeal, alteration, extension, and future execution thereof, but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under the hand of the President and official seal, order and direct:—

1.—That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order, the Public Health Act shall apply to and be in force within and throughout the said Town, and that the said Town shall be and constitute a district, called the Keighley District, for the purposes of the said Public Health Act accordingly.

2.—That the Local Board of Health to be elected under the said Public Health Act shall consist of twenty-one persons.

3.—That one third in number of the said Local Board shall go out of office on the day next after the expiration of a year from the day appointed by Parliament for the first election of the said Local Board, and thence annually.

4.—That every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election,

election, be resident, as in the Public Health Act, 1848, is required, and be rated to the relief of the poor of the town of Keighley, or of some township or place of which some part is within the said district, upon an annual value of not less than ten pounds.

5.—That at the first election of the said Local Board, Richard Metcalfe, of Keighley, Solicitor, shall have the powers and perform the duties vested in or imposed upon the chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Richard Metcalfe, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then that William Burr, of Keighley, Solicitor, shall exercise and perform such of the said powers and duties as then remain to be exercised or performed; and the said Chairman may be elected a member of the said Local Board.

6.—That the fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to Richard Metcalfe aforesaid, at his residence, Keighley, or in case he shall refuse or be unable to receive the same, then to William Burr aforesaid, at his residence, Keighley.

7.—That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, such parts of the said Local Act as are specified in the Schedule hereunto annexed shall be repealed, except in so far as the same repeal any other Act or Acts of Parliament.

8.—That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, all the powers, authorities, and duties of the Commissioners for the time being constituted and appointed for putting the said Local Act into execution shall wholly cease and determine, and that those of their treasurers, clerks, assessors, collectors, receivers, surveyors, and other officers and persons shall cease and determine at such time as shall be appointed by the said Local Board by order under their hands and seal of office.

9.—That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, such of the said powers, authorities, and duties as are granted or imposed by so much of the said Local Act as shall not be repealed according to the provisions of this Order, and so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw which shall be lawfully made under the said Public Health Act, shall be transferred to and be had and exercised by the said Local Board of Health, and by such of the committees, officers, and servants of the said Local Board as shall be appointed by such Board in that behalf under the said Public Health Act, or as shall continue in office under the said Local Board, and shall be had and exercised in the same manner as nearly as may be as if such powers, authorities, privileges, and duties had been granted or imposed by the said Public Health Act.

10.—That,

10.—That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, the said Local Board shall be the Commissioners for executing such parts of the said Local Act as shall not be repealed according to the provisions of this Order.

11.—That the unrepealed parts of the said Local Act shall be incorporated with the Public Health Act as applied to the said district, and the several clauses and provisions of the said Public Health Act may (whenever it may be practicable so to do) be applied to all or any cases, matters, and things which shall arise under such parts of the said Local Act as shall not be repealed according to this Order.

12.—That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, all lands, buildings, works, rates, tolls, duties, and hereditaments, utensils, materials, books, plans, maps, deeds, effects, contracts, papers, monies, and securities for money, and all other property and estate whatsoever belonging to or vested in the Commissioners acting in the execution of the said Local Act, shall be transferred to, vested in, belong to, and be recoverable by the said Local Board of Health, as fully as the same would or could have belonged to, been vested in, or recovered by such Commissioners, and shall, as near as circumstances will permit, be held by the said Local Board of Health upon the same trusts and for the same uses, intents, and purposes as the same were or would be held by such Commissioners.

13.—That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, all bonds, mortgages, annuities, contracts, debts, monies, and securities for money, made, given, contracted, or payable by such Commissioners, shall be paid and satisfied by the said Local Board out of such parts of the said transferred property and estate as would or ought to have been charged or chargeable in respect of the same if this Order had not been made, and shall, as near as circumstances will permit, have the same priority, and be paid and satisfied within the same times, and be recovered from the said Local Board as the same might have been recovered from such Commissioners.

14.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon and paid and satisfied by the said Local Board of Health out of the General District Rates, levied under the said Public Health Act, in the parts and places which would or ought to have been chargeable with such deficiency if this Order had not been made.

15.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the exclusive use and benefit of the parts and places, and as nearly as may be to the same purposes, to which the same would or ought to have been applied if this Order had not been made.

16.—That all charges and expenses which shall be incurred by the said Local Board of Health under such parts of the said Local Act as shall not be repealed according to the provisions of this Order, and which shall not be defrayed out of the tolls, duties, and revenue received or to be received by the said Local Board under such Local Act, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the General or Special District Rates

(as

(as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be borrowed, charged, secured, and recovered in the same manner as if such charges and expenses were actually incurred under the said Public Health Act.

17.—Provided always, that, except as regards the repeal of such of the powers and provisions of the said Local Act as are mentioned in the Schedule to this Order, this Order shall take effect subject and without prejudice to that Act, and all estates, interests, rights, claims, demands, powers, duties, privileges, and authorities created, conferred, arising, and subsisting under or by virtue of that Act are, except as aforesaid, hereby absolutely saved.

18.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not annul, defeat, lessen, or otherwise prejudicially affect any rate, assessment, imposition, composition, charge, purchase, sale, conveyance, grant, demise, lease, mortgage, annuity, assignment, bond, contract, covenant, agreement, security, matter, or thing whatsoever before the passing of any Act of Parliament confirming this Order made, entered into, or done under or by virtue or in pursuance of that Act, or with reference to the purposes of the same; but notwithstanding this Order and the Schedule thereto, all such acts, deeds, matters, and things shall be as good, valid, and effectual to all intents and purposes whatsoever for, against, and with reference to the said Local Board of Health as if the same had been made, entered into, or done by, to, or with reference to that Board, instead of the Commissioners of the said Local Act, and may be proceeded on and enforced in the same manner in all respects as if that Board instead of such Commissioners had been party or privy to the same, and been named or referred to therein.

19.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be subject and without prejudice to any penalties incurred under that Act, at the time fixed for the said first election, by any Act of Parliament confirming this Order, but all such penalties may be enforced and recovered by the said Local Board of Health according to the provisions of this Order.

Given under my Hand, and under the Seal of the General Board of Health, this Second day of August, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B HALL.

Schedule to which this Order refers.

The sections numbered respectively in the copies of the said Act printed by the King's printers, 1, 3 to 19, 24 to 35, 55 to 60, 62 to 72, 81 to 96, all inclusive, 98 and 99.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence is fixed by the Public Health Act, or by any Byelaw of the Local Board of Health made under and by virtue of the Public Health Act, at an amount other than that fixed by the said Local Act.

Public Health (No. 2.)

TUNSTALL.

Provisional Order for the Application of the Public Health Act to the Township of Tunstall, in the County of Stafford.

GENERAL BOARD OF HEALTH.

WHEREAS upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Township of Tunstall, in the County of Stafford, We, the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Township, within and throughout the said boundaries, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial-grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Township, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act.

And whereas copies of the said Report, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Report that there is a certain Local Act of Parliament in force within the said Township having relation to the purposes of the said Public Health Act; that is to say, an Act passed in the tenth and eleventh years of the reign of Queen Victoria, intituled "An Act for "paving, lighting, watching, cleaning, and otherwise improving the Town and "neighbourhood of Tunstall, in the County of Stafford, and for improving and "regulating the market place and markets therein."

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act should be applied to the said Township, and that provision should be made with respect to the said Local Act of Parliament, and the partial repeal, alteration, extension, and further execution thereof, but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order under my hand and seal of office, direct:—

That

That from and after the passing of any Act of Parliament confirming this Order,—

1.—In the construction of this Order, the same meanings shall be assigned to certain expressions which are assigned to them by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's Printers, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.

2.—The Public Health Act, 1848, shall apply to and be in force within and throughout the entire area, places, and parts of places comprised within the boundaries of the said Township of Tunstall, and that the said Township shall be and constitute a district for the purposes of the said Public Health Act accordingly.

3.—That the Local Board of Health to be elected for the said Township shall consist of twenty-four persons, and that the entire number shall be elected for the whole of the said district.

4.—That one third in number of the said Local Board shall go out of office on the 25th day of March in each year subsequently to that in which the said first election takes place; but in case the day as appointed shall fall on a Sunday, or on a day appointed for a Public Fast or Thanksgiving, then that such one third shall go out of office on the day next following.

5.—That every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be resident as in the Public Health Act, 1848, is required, and be seised and possessed of real or personal estate, or both, to the value or amount of not less than five hundred pounds, or shall be so resident and rated to the relief of the poor of some parish, township, or place of which some part is within the said district, upon an annual value of not less than fifteen pounds.

6.—That, at the first election of the said Local Board, Enoch Wedgwood, Esquire, of Tunstall, shall have the powers and perform the duties vested in or imposed upon the Chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Enoch Wedgwood, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then Anthony Shaw, Esquire, of Tunstall, shall exercise and perform such of the said powers and duties as then remain to be exercised or performed.

7.—That the fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said Enoch Wedgwood, at his residence, Tunstall, or in case he shall refuse or be unable to receive the same, then to the said Anthony Shaw, at his residence, Tunstall.

8.—Such parts of the said Local Act as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and

and except in so far as the same repeal any other Act or Acts of Parliament.

9.—The powers, authorities, and duties of the Commissioners for the time being acting in execution of the said Local Act shall cease; and such of them as are granted or imposed by the unrepealed parts of the said Local Act shall, so far as they are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Public Health Act; and all matters arising under the said Local Act may be dealt with under the provisions of the said Public Health Act; and the provisions of that Act shall apply to all such matters, and for this purpose the unrepealed parts of the said Local Act shall be incorporated with the said Public Health Act as applied to the said Township.

10.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board of Health upon the same trusts and for the same purposes as by such Commissioners.

11.—All debts, monies, and securities for money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

12.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

13.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the exclusive use of the same parts and to the same purposes as it would have been if this Order had not been made.

14.—All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and which shall not be defrayed out of monies arising under such Local Acts, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the purposes of the said Local Act shall be deemed to be purposes of the said Public Health Act as applied to the said Township; and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

15.—Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order; but, notwithstanding this Order, and the Schedule thereto, all such things shall be as valid with reference to the said Local Board of Health, as if the same had been done with reference

reference to that Board, and may be dealt with in the same manner in all respects as if they related to that Board instead of such Commissioners.

16.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be without prejudice to any penalties incurred under the said Local Act, but all such penalties may be recovered by the said Local Board of Health according to the provisions of this Order.

Given under my Hand and under the Seal of the General Board of Health, this Thirtieth day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The parts of the said Local Act referred to in this Order to be repealed are as follows; (that is to say,) so much of the section numbered 1 in the copies of that Act printed by the Queen's printers as incorporates with that Act the Commissioners Clauses Act, 1847, and so much of the same section as incorporates the sections of the Towns Improvement Clauses Act, 1847, with respect to the officers to be appointed by the Commissioners, or under any General Town Improvement Act, and the sections with respect to plans of the district within the limits of the Special Act, and of the works to be executed under the powers of that and the Special Act; the sections with respect to making and maintaining the public sewers; and the sections with respect to the drainage of houses; and the sections with respect to the paving and maintaining of streets; and the sections with respect to laying out new streets; and the sections with respect to objections to the works to be constructed by or subject to the approval of the Commissioners; and the sections with respect to supplying buildings with fresh air, numbered 113, 114, and 115; and the sections with respect to lodging-houses; and the sections with respect to lighting the town or district; and the sections with respect to the supply of water; and the sections with respect to slaughter-houses; and the sections with respect to things to be done by the Commissioners by special order, numbered 134 and 135; and the sections with respect to the ensuring the execution of the works by that or the Special Act required to be done by the owners or occupiers of houses or lands; and the sections with respect to the rates by that Act to be made for sewers, drains, and private improvements; and the sections with respect to the manner of making rates authorized by that or the Special Act, except the section numbered 176; and the sections with respect to the appeal to be made against any rate; and the sections with respect to the recovery of rates; and the sections with respect to byelaws to be made under that or the special Act; and the sections with respect to the recovery of damages not specially provided for, and of penalties, and to the determination of any other matter referred to justices; and the sections numbered respectively in the copies of the said Act printed by the Queen's printers 4 to 9, 18, and 35 to 40, all inclusive.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any byelaw

byelaw of the Local Board of Health made under and by virtue of the said Public Health Act, at an amount other than that fixed by the said first-mentioned Act.

TOXTETH PARK.

Provisional Order for the Application of the Public Health Act to the Extra-parochial Place of Toxteth Park, in the County Palatine of Lancaster.

General Board of Health.

Whereas, upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Extra-parochial Place of Toxteth Park, in the County Palatine of Lancaster, and within the boundaries of the said place, as fixed for the purposes of an Act passed in the fifth and sixth years of the reign of Her present Majesty, intituled "An Act for better "paving and improving the Streets and Highways within the Extra-parochial "Place of Toxteth Park in the County Palatine of Lancaster, and for the "Sewerage of certain Parts of the said Place," We, the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Place, within and throughout the said boundaries, and to make public inquiry and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said place for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said place, or having relation to the purposes of the said Act; also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act:

And whereas copies of the said Report, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed; and all such statements as have been received by the said Board have been duly deposited as required by that Act:

And whereas it appears upon such Report that there is a certain Local Act of Parliament in force within the said Place having relation to the purposes of the said Public Health Act; (that is to say,) the Act hereinbefore recited of the fifth and sixth years of the reign of Her present Majesty:

And

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said place, and that provision should be made with respect to the said Local Act of Parliament, and the partial repeal, alteration, extension, and further execution thereof; but the same cannot be done without the authority of Parliament:

Now, therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order under my Hand and Seal of office, direct:—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—In the construction of this Order, the same meanings shall be assigned to certain expressions which are assigned to them by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's printers, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.

2.—"The Public Health Act, 1848," and every part thereof except the sections relating to the election, continuance in office, and qualification of Local Boards of Health, being the sections numbered in the copies of that Act printed by the Queen's printers from 12 to 31, both inclusive, and the section numbered 50 in the copies of that Act printed by Her Majesty's printers, shall apply to the said place within the boundaries defined in the Local Act aforesaid.

3.—The Commissioners for the time being acting in execution of the said Local Act shall be the Local Board of Health under the said Public Health Act.

4.—Such parts of the said Local Act as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.

5.—All matters arising under the said Local Act may be dealt with under the provisions of the said Public Health Act, and the provisions of that Act shall apply to all such matters; and for this purpose the unrepealed parts of the said Local Act shall be incorporated with the said Public Health Act as applied to the said place.

6.—All expenses which shall be incurred by the said Commissioners under the unrepealed parts of the said Local Act, and which shall not be defrayed out of monies arising under such Local Act, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the purposes of the said Local Act shall be deemed to be purposes of the said Public Health Act as applied to the said place; and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

Given under my Hand, and under the Seal of the General Board of Health, this Thirtieth day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The parts of the said Local Act referred to in this Order to be repealed are as follows; (that is to say,)

The sections numbered respectively in the copies of the said Act printed by the Queen's printers 20 to 87 both inclusive, 99, 115 to 123, 129 to 131 both inclusive, 145 to 154, 158 to 160, 163 to 193, all inclusive, 196 and 197.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any bye-law of the Local Board of Health, made under and by virtue of the said Public Health Act, at an amount other than that fixed by the said first-mentioned Act

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ROMFORD.

Provisional Order for altering the Boundaries of the District of Romford, in the County of Essex, as constituted for the Purposes of the Public Health Act, 1848.

GENERAL BOARD OF HEALTH.

WHEREAS by a Provisional Order of the General Board of Health, bearing date the 16th day of June 1851, confirmed by "The Public Health Supplemental Act, 1851, (No. 2.)," (14 & 15 Vict. c. 98.), the Public Health Act, 1848, has been duly applied to the Parish of Romford, in the County of Essex.

And whereas it appears to the General Board of Health appointed for the purposes of the said Act that the boundaries of the said District, as determined by the said Order, should be altered and amended in the manner prescribed by the said Act.

And whereas the said General Board have, in pursuance of the Provisions of the said Act, directed William Ranger, a Superintending Inspector appointed for the purposes of the said Act, to visit the said District, and to make public inquiry, and to examine witnesses as to the boundaries not being the boundaries of the said Parish so fixed as aforesaid, which might most advantageously be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Public Health Act, proceeded upon the said further inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the said matter with respect to which he was directed to inquire.

And whereas copies of the Report on such further inquiry, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And

And whereas the alteration of the boundaries of the said District cannot be effected without the authority of Parliament.

Now therefore, in pursuance of the power vested in the said General Board of Health by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order, under my hand and seal of office, order and direct as follows; that is to say:—

That from and after the passing of any Act of Parliament confirming this present Order—

1.—The provisions of the Public Health Act of 1848, and every part thereof, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area comprised within the boundary of the town ward of Romford in the parish of Romford and county of Essex, shown by the strong black line on the plan prefixed to the said further Report made by Mr. Ranger to the General Board of Health, and bearing date the 29th day of April 1854; and the parts within the said boundary shall be and constitute a district for the purposes of the said Public Health Act accordingly, under the name of the "Romford District."

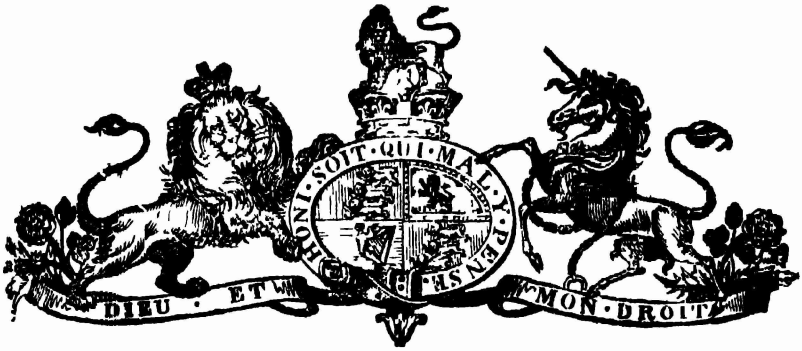
2.—The present Local Board of Health for the time being for the district of Romford, as originally constituted by the herein-before recited Provisional Order, shall, from and after the passing of the Act of Parliament confirming this Order, be the Local Board of Health for the District constituted by this Order and the Act of Parliament confirming the same.

3.—At every election of members of the said Local Board which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District constituted by this Order, and by the votes of owners of and ratepayers in respect of property situate within the said District; and any person residing in the said District, or within seven miles thereof, may be elected a member of the said Local Board; but the number and qualification of such members, and the day of such election, shall remain as fixed by the herein-before recited Provisional Order of the General Board of Health, dated 16th of June 1851, and confirmed by the aforesaid "Public Health Supplemental Act, 1851, (No. 2)."

Given under my Hand and under the Seal of the General Board of Health, this Thirtieth day of July in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXXVI.

An Act for diminishing Expense and Delay in the Administration of Criminal Justice in certain Cases. [14th *August* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Justices at Petty Sessions to punish Persons charged with Larceny, &c. summarily.

I. Where any Person is charged before any Justices of the Peace assembled at such Petty Sessions as herein-after provided with having committed Simple Larceny, and the Value of the whole of the Property alleged to have been stolen does not, in the Judgment of such Justices, exceed Five Shillings, or with having attempted to commit Larceny from the Person, or Simple Larceny, it shall be lawful for such Justices to hear and determine the Charge in a summary Way, and if the Person charged shall confess the same, or if such Justices, after hearing the whole Case for the Prosecution and for the Defence, shall find the Charge to be proved, then it shall be lawful for such Justices to convict the Person charged, and commit him to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for any Period not exceeding Three Calendar

 Months,

Months, and if they find the Offence not proved they shall dismiss the Charge, and make out and deliver to the Person charged a Certificate under their Hands, stating the Fact of such Dismissal; and every such Conviction and Certificate respectively may be in the Forms (A.) and (B.) in the Schedule to this Act, or to the like Effect: Provided always, that if the Person charged do not consent to have the Case heard and determined by such Justices, or if it appear to such Justices that the Offence is one which, owing to a previous Conviction of the Person charged, is punishable by Law with Transportation or Penal Servitude, or if such Justices be of opinion that the Charge is, from any other Circumstances, fit to be made the Subject of Prosecution by Indictment, rather than to be disposed of summarily, such Justices shall, instead of summarily adjudicating thereon, deal with the Case in all respects as if this Act had not been passed: Provided also, that if upon the Hearing of the Charge such Justices shall be of opinion that there are Circumstances in the Case which render it inexpedient to inflict any Punishment, they shall have Power to dismiss the Person charged, without proceeding to a Conviction.

If Parties accused do not consent, Justices to deal with Cases as if this Act had not passed.

II. Where the Justices before whom any Person is charged as aforesaid propose to dispose of the Case summarily under the foregoing Provisions, One of such Justices, after the Examinations of all the Witnesses for the Prosecution have been completed, and before calling upon the Person charged for any Statement which he may wish to make, shall state to such Person the Substance of the Charge against him, and shall then say to him these Words, or Words to the like Effect: "Do you consent that the Charge against "you shall be tried by us, or do you desire that it shall be sent for "Trial by a Jury at the Sessions or Assizes" (as the Case may be); and if the Person charged shall consent to the Charge being summarily tried and determined as aforesaid, then the Justices shall reduce the Charge into Writing, and read the same to such Person, and shall then ask him whether he is guilty or not of such Charge; and if such Person shall say that he is guilty, the Justices shall then proceed to pass such Sentence upon him as may by Law be passed, subject to the Provisions of this Act in respect to such Offence; but if the Person charged shall say that he is not guilty, the Justices shall then inquire of such Person whether he has any Defence to make to such Charge, and if he shall state that he has a Defence the Justices shall hear such Defence, and then proceed to dispose of the Case summarily.

Justices to ask the Accused whether he consents to the Charge being summarily determined.

III. Where any Person is charged before any Justices at such Petty Sessions as aforesaid with Simple Larceny (the Property alleged

Persons charged with Larceny, &c.

alleged to have been stolen exceeding in Value Five Shillings), or stealing from the Person, or Larceny as a Clerk or Servant, and the Evidence, when the Case on the Part of the Prosecution has been completed, is in the Opinion of such Justices sufficient to put the Person charged on his Trial for the Offence with which he is charged, such Justices, if the Case appear to them to be one which may properly be disposed of in a summary Way, and may be adequately punished by virtue of the Powers of this Act, shall reduce the Charge into Writing, and shall read it to the said Person, and shall then ask him whether he is guilty or not of the Charge; and if such Person shall say that he is guilty such Justices shall thereupon cause a Plea of guilty to be entered upon the Proceedings, and shall convict him of such Offence, and commit him to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for any Term not exceeding Six Calendar Months; and every such Conviction may be in the Form (C.) in the Schedule to this Act, or to the like Effect: Provided always, that the said Justices, before they ask such Person whether he is guilty or not, shall explain to him that he is not obliged to plead or answer before them at all, and that if he do not plead or answer before them he will be committed for Trial in the usual Course.

may plead guilty before Justices in Petty Sessions, and be sentenced forthwith.

Justices to warn the Accused that he is not obliged to plead.

IV. In every Case of summary Proceeding under this Act the Person accused shall be allowed to make his full Answer and Defence, and to have all Witnesses examined and cross-examined by Counsel or Attorney.

Persons accused may have Assistance of Counsel, &c.

V. Where any Person is charged before any Justice or Justices with any Offence mentioned in this Act, and in the Opinion of such Justice or Justices the Case may be proper to be disposed of by Justices in Petty Sessions under this Act, the Justice or Justices before whom such Person is so charged may, if he or they see fit, remand such Person for further Examination to the next Petty Sessions, in like Manner in all respects as a Justice or Justices are authorized to remand a Party accused under the Act passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-two, Section Twenty-one, or under the Petty Sessions Act (*Ireland*), 1851, Section Fourteen.

Power to remand Persons charged to next Petty Sessions.

VI. If any Person suffered to go at large upon entering into such Recognizance as the Justice or Justices are authorized under the last-mentioned Act to take on the Remand of a Party accused do not afterwards appear pursuant to such Recognizance, then the Justices before whom he ought to have appeared shall certify (under the Hands of Two of them) on the Back of the Recognizance, to the Clerk of the Peace of the County or Place, the Fact of such Non-appearance,

Forfeited Recognizances to be transmitted to the Clerk of the Peace.

appearance, and such Recognizance shall be proceeded upon in like Manner as other Recognizances, and such Certificate shall be deemed sufficient *primâ facie* Evidence of such Nonappearance.

Convictions and other Proceedings to be returned to the Quarter Sessions.

VII. The Justices adjudicating under this Act shall transmit the Conviction, or a Duplicate of a Certificate of Dismissal, with the written Charge, the Depositions of the Witnesses for the Prosecution and for the Defence, and the Statement of the Accused, to the next Court of General or Quarter Sessions for the County or Place, there to be kept by the proper Officer among the Records of the Court; and a Copy of such Conviction, or of such Certificate of Dismissal, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction or Dismissal for the Offence mentioned therein in any legal Proceeding whatever.

Justices may order Restitution of Property.

VIII. It shall be lawful for the Justices by whom any Person is convicted under this Act to order Restitution of the Property stolen, taken, or obtained by false Pretences, in those Cases in which the Court before whom the Person convicted would have been tried but for this Act may be by Law authorized to order Restitution.

Petty Sessions to be an open Court, and held for Petty Sessional Division.

IX. Every Petty Sessions for the Purposes of this Act shall be an open Public Court, and shall be the Petty Sessions holden for a Petty Sessional Division; and a written or printed Notice of the Days and Hours for holding such Petty Sessions shall be posted or affixed by the Clerk to the Justices of Petty Sessions upon the Outside of some conspicuous Part of the Building or Place where the same are held.

11 & 12 Vict. c. 43. not to apply to Proceedings under this Act.

X. The Provisions of the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, shall not be construed as applying to any Proceeding under this Act.

Effect of Conviction.

XI. Every Conviction by Justices in Petty Sessions under this Act shall have the same Effect as a Conviction upon Indictment for the same Offence would have had, save that no Conviction under this Act shall be attended with any Forfeiture.

Proceedings under this Act a Bar to further Proceedings.

XII. Every Person who obtains a Certificate of Dismissal or is convicted under this Act shall be released from all further or other Criminal Proceedings for the same Cause.

No Conviction to be quashed for Want of Form.

XIII. No Conviction, Sentence, or Proceeding under this Act shall be quashed for Want of Form; and no Warrant of Commitment upon a Conviction shall be held void by reason of any Defect therein, if

if it be therein alleged that the Offender has been convicted, and there be a good and valid Conviction to sustain the same.

Justices may order Payment of Expenses.

XIV. Where any Charge is summarily adjudicated upon under this Act, or an Offender is under this Act convicted by Justices in Petty Sessions upon a Plea of "Guilty," it shall be lawful for the Justices by whom such Charge has been adjudicated upon or Offender convicted, upon the Request of any Person who has preferred the Charge or appeared to prosecute or give Evidence against the Person charged, if such Justices think fit so to do, to grant a Certificate to such Person of the Amount of the Compensation which such Justices may deem reasonable for his Expenses, Trouble, and Loss of Time therein, subject nevertheless to the Regulations made or to be made as herein-after mentioned; and every such Certificate shall, when granted in *England*, have the Effect of an Order of Court for the Payment of the Expenses of a Prosecution made under the Act of the Seventh Year of King *George* the Fourth, Chapter Sixty-four, and the Acts amending the same, and when granted in *Ireland* shall have the Effect of an Order of Court for the Payment of the Expenses of a Prosecution made under the Act of the Fifty-fifth Year of King *George* the Third, Chapter Ninety-one, and the Acts amending the same; and the Amount mentioned in such Certificate shall be paid in like Manner as the Money mentioned in such Order of Court; and all Certificates to be granted under this Act shall be subject to the like Regulations made or to be made in relation thereto as the Certificates mentioned in the said Act of the Seventh Year of King *George* the Fourth to be granted by examining Magistrates are or may be subject to under the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five: Provided also, that the Amount of the Fees payable to the Clerks of the Magistrates in Petty Sessions, in respect of any Proceeding under this Act, and of the Fees payable to the Clerks of the Peace for filing the Depositions, Conviction, or Certificate of Dismissal aforesaid, and of all such Expenses of apprehending the Person charged, and detaining him in Custody, and of such other Expenses as are now by Law payable when incurred before a Commitment for Trial, may be added to the Certificate for Compensation aforesaid, and paid in the like Manner.

Town Hall, Court House, &c. of County, City, or Borough may be used for Petty Sessions held under this Act.

XV. In every City, Borough, Town, or Place in *England* where any Petty Sessions shall be holden under this Act, the Town Hall, Court House, or other public Building therein belonging to any County, City, Borough, Town, or Place, or any Court House in such City, Borough, Town, or Place provided by the Commissioners of Her Majesty's Treasury, under the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five,

five, may be used for the Purpose of holding such Petty Sessions, without any Charge for Rent or other Payment, save and except the reasonable and necessary Charges for lighting, warming, and cleaning, when such public Building is used for the Purpose of holding such Courts of Petty Sessions, and for all other Expenses necessarily incidental to the Use of the said Building for the Purposes of the said Courts: Provided always, that the necessary Arrangements shall be made so that the Sittings of the said Courts of Petty Sessions shall not interfere with the Business of the County, City, Borough, Town, or Place or other Business usually transacted in such Town Hall, Court House, or other public Building, or any Purpose for which any such Town Hall, Court House, or other public Building may be used by virtue of any Act of Parliament in that Behalf.

Any Metropolitan Police Magistrate or Stipendiary Magistrate may act alone.

XVI. Any One of the Magistrates appointed to act at any of the Police Courts of the Metropolis, and sitting at a Police Court within the Metropolitan Police District, or any Magistrate appointed to act at the Police Courts of the *Dublin* Metropolitan District, and sitting at a Police Court within the said District, or any Stipendiary Magistrate appointed for any City, Town, Liberty, Borough, or District, and sitting at a Police Court or other Place appointed in that Behalf, may, in the Case of Persons charged before such Magistrate, do alone all Acts by this Act authorized to be done by Justices of the Peace in Petty Sessions, and all the Provisions of this Act referring to Justices in Petty Sessions shall be read and construed as referring also to such Magistrate.

Nothing to affect Provisions of 10 & 11 Vict. c. 82. and 13 & 14 Vict. c. 37.

XVII. Nothing in this Act shall affect the Provisions of the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Eighty-two, "For the more speedy Trial and Punishment of Juvenile Offenders," or of the Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-seven, "For the further Extension of Summary Jurisdiction in Cases of Larceny," or of the Summary Jurisdiction (*Ireland*) Act, 1851; and this Act shall not extend to Persons punishable under the said Acts, so far as regards Offences for which such Persons may be punished thereunder.

As to Compensation to Clerks of Peace and other Officers.

XVIII. And whereas the Fees and Emoluments of Clerks of the Peace for Counties and Boroughs, and of other Officers of the Courts of Quarter Sessions, in Criminal Proceedings, may be seriously diminished by the Operation and Effect of this Act, and it is just and reasonable that full Compensation for any such Loss should be made in respect thereof to such Clerks of the Peace and other Officers appointed

appointed before the passing of this Act: Be it enacted, That immediately after the passing of this Act the Commissioners of Her Majesty's Treasury shall, upon the Application of any such Clerk of the Peace or other Officer, by such Means and in such Manner as they may think proper, inquire into and ascertain the annual Amount, to be computed upon an Average of Five Years immediately preceding the passing of this Act, or of such shorter Period as such Clerk of the Peace or other Officer shall have been in Office, of the Fees and Emoluments in Criminal Prosecutions received by such Clerk of the Peace or other Officer; and the said Commissioners shall, upon the like Application, also ascertain, in such Manner as they may think proper, the total Amount of Fees and Emoluments in Criminal Prosecutions received by such Clerk of the Peace or other Officer during any Year after the passing of this Act; and the said Commissioners are hereby authorized and empowered, by Warrant under their Hands, to award to such Clerk of the Peace or other Officer the Deficiency, when and so often as the same shall occur, between the last-mentioned Amount and the annual average Amount so ascertained as aforesaid, and the Sum so awarded shall be paid out of any Monies which may be provided by Parliament for that Purpose; provided, that in all Cases where any such Clerk of the Peace, by reason of his being paid by Salary, under an Order made by virtue of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five, shall pay such Fees and Emoluments as aforesaid to the Treasurer of the County or Borough for which he is Clerk of the Peace in aid of the County or Borough Rate, as the Case may be, such Deficiency, when so ascertained as aforesaid, shall be paid to the Treasurer of such County or Borough respectively.

Power to increase Salary of Chief Magistrate to a Sum not exceeding 1,500*l.*

XIX. And whereas by Section Nine of the Act of the Session holden in the Second and Third Years of Her Majesty, Chapter Seventy-one, Provision is made for Payment out of the Monies in the Hands of the Receiver of the Metropolitan Police District of such Salaries as Her Majesty shall direct to the Magistrates of the Police Courts of the Metropolis, the Salary to the Chief Magistrate not being more than One thousand two hundred Pounds, and to each of the other Magistrates not more than One thousand two hundred Pounds: And whereas after the passing of the said Act the Salary of the Chief Magistrate was fixed at One thousand two hundred Pounds, and the Salaries of the other Police Magistrates at One thousand Pounds: And whereas the Duties of the said Chief and other Magistrates have increased, and are subject under this Act to be further increased: And whereas the Salaries of such other Magistrates have, in consequence of such Increase of Duty, been increased from

One

One thousand Pounds to the Limit permitted by the said Act, and it is expedient to authorize such Increase of the Salary of the said Chief Magistrate as herein-after mentioned: The Salary to be paid out of the Monies aforesaid to the said Chief Magistrate shall be such yearly Sum, not exceeding One thousand five hundred Pounds, as Her Majesty may direct.

Provisions of 15 & 16 Vict. c. 73. for Payment by Salary in lieu of Fees to Clerks of Assize for their Duties as Associates extended to the whole Office of Clerk of Assize, &c.

XX. And whereas by the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Seventy-three, certain Powers were granted and Provisions made for the Payment to the several Clerks of Assize of annual Sums for Salaries, and for the Expenses of their Office, in respect of their Duties as Associates, in lieu of the Fees and Emoluments appertaining to those Duties: And whereas it is expedient that the Principle of Payment by Salary in lieu of Fees should be further provided for, and that the Clerks of Assize should be so paid for the Performance of all their other Duties: Be it therefore enacted, That all Fees and Emoluments heretofore payable to the Clerks of Assize for the Performance of their Duties as Clerks of the Crown shall be and they are hereby abolished; and all the Powers and Provisions made by the before-mentioned Act, except as is herein-after provided, for the Payment of Clerks of Assize by Salary in lieu of Fees, in respect of their Duties as Associates, shall be and the same are hereby extended and made applicable to the Payment of Clerks of Assize by Salary, and the Expenses of their Offices, in lieu of Fees and Emoluments, for the Performance of their Duties as Clerks of the Crown and of all other Duties appertaining to the Office of Clerk of Assize: Provided always, that the Commissioners of Her Majesty's Treasury for the Time being shall fix and determine the Amount of Salary to be allowed to any subordinate Officer now employed or who shall hereafter be employed by any Clerk of Assize, and shall be empowered to order the Payment of such Salary to the said Officers in the first instance, and not through the Medium of the Clerk of Assize: Provided also, that the Salaries and Expenses of the Officers of the said Clerks of Assize for the whole of their Duties on the Criminal and Civil Sides of the Court shall be paid out of any Monies which may be provided by Parliament for that Purpose.

So much of 12 Ric. 2. c. 10. and 14 Ric. 2. c. 12., &c. as directs Payment of Wages to Justices and their Clerks repealed.

XXI. And whereas by Acts of the Twelfth and Fourteenth Years of King *Richard* the Second Payments are provided for Justices of the Peace and their Clerks in each County, as Wages by the Day for the Time of their Sessions, to be payable by the Sheriff, as therein mentioned, and in several Counties in *England* Sums are claimed from the Sheriffs and paid in respect of such statutory Wages, and it is expedient that such Payments should be discontinued: Be it therefore

fore enacted, That so much of the several Acts of the Twelfth Year of King *Richard* the Second, Chapter Ten, and of the Fourteenth Year of King *Richard* the Second, Chapter Twelve, or of any other Act now in force as directs or authorizes the Payment of Wages to Justices of the Peace and their Clerks for the Time of their Sessions, shall be repealed.

In Cases of Injuries to Property, Parties aggrieved may receive Compensation, though examined as Witnesses.

XXII. And whereas it is expedient to amend the Law as to Witnesses in Cases of wilful or malicious Injuries to Property: Be it further enacted, That in all Cases where any Justice or Justices of the Peace have or shall hereafter have Power to order a Sum of Money to be forfeited and paid to the Party aggrieved, as Amends or Compensation for any Injury to Property, Real or Personal, the Right of such Party to receive the Money so ordered to be paid shall not be affected by such Party having been examined as a Witness in Proof of the Offence, any Law or Statute to the contrary notwithstanding.

Interpretation of Terms.

XXIII. In the Interpretation of this Act "County" shall be construed to include Riding, Parts, Liberty, and Division of a County; "Borough" to include City, County of a City or Town, and Town Corporate; "Property" to include everything included under the Words "Chattel, Money, or valuable Security," as used in the Act of the Session holden in the Seventh and Eighth Years of King *George* the Fourth, Chapter Twenty-nine; and in the Case of any "valuable Security" the Value of the Share, Interest, or Deposit to which the Security may relate, or of the Money due thereon or secured thereby, and remaining unsatisfied, or of the Goods or other valuable Thing mentioned in the Warrant or Order, shall be deemed to be the Value of such Security.

Extent of Act.

XXIV. This Act shall not extend to *Scotland*.

SCHEDULE.

Form (A.)

Conviction.

to wit. } Be it remembered, That on the Day of in the Year of our Lord , at in the said [County], *A.B.*, being charged before us the undersigned of Her Majesty's Justices of the Peace for the said [County], and consenting to our deciding upon the Charge summarily, is convicted before us, for that [he the said *A.B*, *&c., stating the Offence, and the Time and Place when and where committed*]; and we adjudge the said *A.B.* for his said Offence to be imprisoned in the [House of Correction] at in the said [County], [and there kept to Hard Labour] for the Space of .

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [County] aforesaid.

J.S. (L.S.)
H.M. (L.S.)

Form (B.)

Certificate of Dismissal.

to wit. } We of Her Majesty's Justices of the Peace for the [County] of certify, That on the Day of in the Year of our Lord at in the said [County] *A.B.* being charged before us, and consenting to our deciding upon the Charge summarily, for that [he the said *A.B., stating the Offence charged, and the Time and Place when and where alleged to be committed*], we did, having summarily adjudicated thereon, dismiss the said Charge.

Given under our Hands and Seals, this Day of at in the [County] aforesaid.

J.S. (L.S.)
H.M. (L.S.)

FORM (C.)

Conviction upon a Plea of Guilty.

to wit. } BE it remembered, That on the Day of in the Year of our Lord at in the said [County], *A.B.*, being charged before us, the undersigned of Her Majesty's Justices of the Peace for the said [County], for that [he the said *A.B.*, *&c.*, *stating the Offence, and the Time and Place when and where committed*], and pleading Guilty to such Charge, he is thereupon convicted before us of the said Offence; and we adjudge the said *A.B.* for his said Offence to be imprisoned in the [House of Correction] at in the said [County], [and there kept to Hard Labour] for the Space of .

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [County] aforesaid.

J.S. (L.S.)
H.M. (L.S.)

LONDON:
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Printers to the Queen's most Excellent Majesty. 1855.

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

****

CAP. CXXVII.

An Act to make better Provision for the Union of contiguous Benefices, and to facilitate the building and endowing of new Churches in spiritually destitute Districts.

[14th *August* 1855.]

WHEREAS an Act was passed in the Second Year of Her Majesty's Reign, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy;* and in such Act Provision is contained authorizing the Union, by Order of Her Majesty in Council, after such Inquiry and Notice, and with such Consent and upon such Certificate as is therein mentioned, of Two or more Benefices, or One or more Benefice or Benefices, and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, in the same Parish or contiguous to each other, of which the aggregate Population should not exceed One thousand five hundred Persons, and the aggregate yearly Value should not exceed Five hundred Pounds: And whereas another Act was passed in the Fourteenth Year of Her Majesty's Reign, intituled *An Act to amend the Law relating to the holding of Benefices in Plurality,* by which Act the Provision herein-before referred to was extended so as to be applicable to and for the Union of Benefices, Sinecure Rectories, and Vicarages in the same Parishes or contiguous to each other, and of which the aggregate Population should not exceed

1 & 2 Vict. c. 106.

13 & 14 Vict. c. 98.

One

One thousand five hundred Persons, notwithstanding the aggregate yearly Value should exceed Five hundred Pounds: And whereas it is expedient to amend the said recited Acts, and further to extend the same, so as to make better Provision for the Union of contiguous Benefices in Cases where such Union may be advantageous to the Interests of Religion: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Contiguous Benefices may be united under this Act, without regard to the aggregate Population or yearly Value.

I. Under the Provisions of this Act, it shall and may be lawful to unite Two or more Benefices or One or more Benefice or Benefices and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, contiguous to each other, without regard to aggregate Population or aggregate yearly Value, and without any Limitation as to the same, and that the Union of such Benefices shall and may be effected in the Manner herein-after provided.

On Representation of Inhabitants of any Two or more Parishes that their Benefices might be advantageously united, the Bishop shall inquire into the same.

II. Whenever it shall be represented in Writing to the Bishop of the Diocese by the Inhabitants of any Two or more such Parishes in Vestry assembled, or the major Part of them respectively, due Notice of the Representation proposed to be made having been given in the usual Manner, that the Benefices of the Parishes of which they are Inhabitants may, with Advantage to the Interests of Religion, be united, the Bishop of the Diocese to whom such Representation in Writing may be made shall inquire into the Circumstances of the Case; and if on such Inquiry it shall appear to such Bishop that such Union may usefully be made, and that the Patron or Patrons of the Benefices, Rectories, or Vicarages proposed to be united are consenting thereto, such Consent being signified in Writing under the Hands of such Patron or Patrons, or that the Patronage of any new Church or Churches proposed to be erected under this Act is to be vested in such Patron or Patrons as herein-after is provided, the said Bishop shall cause a Statement in Writing of the Facts, certified and signed by himself, to be submitted to Her Majesty's Commissioners for building new Churches, and the said Commissioners shall institute Inquiry, and, if they see fit, may propose a Scheme for the Union of such Benefices and for the other Purposes of this Act; and Her Majesty's said Commissioners shall and may for the Purposes of this Act exercise such Powers and Privileges as they now exercise or claim to exercise for the Purchase of Sites, the Erection of new Churches, and other Objects within the Commission of the said Commissioners, to the full Extent as such Powers and Privileges are now exercised or claimed to be exercised by the said Commissioners.

III. Whenever

Union of contiguous Benefices.

III. Whenever it shall appear to the Commissioners for building new Churches, upon Inquiry into the Circumstances of the Case, that the total Revenue of any Benefices proposed to be united would be more than sufficient for the due Maintenance and Support of the Incumbent of the Benefice when united, and of such Curate or Curates as may be needed for the same, and that the whole or some specified Part or Parts of the Glebe Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments in lieu of Tithes, belonging to the Benefice or Benefices proposed to be united, or any of them, might with Advantage to the Interests of Religion be made subject to a certain annual Rentcharge in perpetuity in favour of some other specified Benefice in the same Diocese, or be excepted out of such Union, and transferred and annexed to such other specified Benefice having no Provision or competent Provision belonging thereto, as an Endowment or a further Endowment for the same, the Church Building Commissioners, with the Consent of the Patron or Patrons of the Benefices proposed to be united, may entertain or propose a Scheme or Plan for such Rentcharge or Transfer and Annexation: Provided always, that the Consents of such Patrons shall be signified in Writing, and that in any Case where the Patronage of any such Benefice may be vested in any Individual not wholly entitled to dispose of the same, the Consent of the next Heir, being of full Age, to the Right of such Patronage, shall also be signified in Writing.

Church Building Commissioners may propose Scheme for Transfer of surplus Revenues to poor Parishes.

IV. The Church Building Commissioners, so soon as they shall have prepared a Scheme for the Purpose of more effectively carrying out the proposed Union of Benefices, or a Scheme for the Transfer of Surplus Revenues, shall seal the same with their Seal, and shall cause to be affixed on or near to the principal outer Door of the Church or Churches of the Parishes proposed to be united, and in the usual Place of Notice in the said Parishes, a Copy or Copies of such Scheme, and shall deliver Copies of the same to the Bishop of the Diocese, and to the Patrons, Ministers, Churchwardens, Overseers, and Vestry Clerks of the Benefices proposed to be united, together with a Notice to any Person or Persons interested, that they or any of them may within Two Months show Cause to the said Commissioners against the proposed Union of Benefices, or the Transfer of surplus Revenues, or as to any Part or Parts of any Scheme relating thereto; and if within such Period of Two Months no Cause be shown, or if upon Consideration of any Objection the Church Building Commissioners shall be of opinion that the Cause shown is not sufficient, the said Commissioners shall then certify the Statement and Certificate of the Bishop as aforesaid, together with their Scheme, to Her Majesty in Council, and thereupon it

Scheme to be posted on Church Doors, &c.

Parties interested may show Cause against Scheme.

If no sufficient Cause shown, Commissioners to certify to Queen in Council.

it shall be lawful for Her Majesty in Council to make and issue any Order or Orders for uniting such Benefices into One Benefice with Cure of Souls for Ecclesiastical Purposes, and for such other Purposes as are herein provided: Provided always, that if any Petition or Statement is lodged by way of Protest, or any Appeal is made against the Scheme or any Part thereof, as herein-after is provided, no such Order or Orders in Council shall be made or issued until such Petition or Statement has been duly considered, or the Parties to such Appeal have been duly heard.

Proviso.

Protests against the Scheme may be considered by Judicial Committee.

V. It shall and may be lawful for any Person or Persons interested, who may have been heard by the said Commissioners against the proposed Union of any Benefices, or against subjecting the Endowments or Revenues thereof, or any Part of them, to any Rentcharge or Transfer or Annexation, or against any Part or Parts of any Scheme certified by them to Her Majesty in Council, to appeal to Her Majesty in Council against such Scheme or any Part thereof, in the usual Manner, or such Person or Persons may, at their Option, state in Writing, by way of Protest, his, her, or their Objections to such Union or any Part or Parts thereof, and the Commissioners shall annex such written Statement or Protest to their Certificate to the Queen in Council, and Her Majesty in Council may order and direct that such Objections shall be considered by the Judicial Committee of the Privy Council; and the said Judicial Committee shall make Report to Her Majesty in Council thereupon, and may propose to Her Majesty in Council to affirm, vary, or dismiss the Scheme certified by the Commissioners, or to return the same to the said Commissioners for Alteration or Amendment; and Her Majesty in Council may affirm, vary, or dismiss the Scheme accordingly, or return the same to the Commissioners to be reconsidered as to any Parts thereof.

Queen in Council may make Orders affirming or approving any Scheme.

VI. It shall be lawful for Her Majesty in Council, by any Order or Orders affirming or approving any Scheme of the Commissioners, and directing a Union of any Parishes, or by any other Order or Orders, to direct that such or such Part of any Lands, Tithes, Tenements, or Hereditaments, or other permanent Endowments of the Benefices proposed to be united, shall be subject to such Rentcharge, or excepted out of such Benefice when united, and be transferred and annexed to such other specified Benefice, and upon the Order or Orders directing such Rentcharge or Transfer and Annexation coming into operation the Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments, so directed to be subject to such Rentcharge, or to be transferred and annexed, shall, without any further Deed, Transfer, or other Assurance, become and be for ever subject to such Rentcharge or annexed to such Benefice,

Benefice, as the Case may be, and shall be held and enjoyed by the Incumbent thereof for the Time being as the Endowment or a Part of the Endowment thereof, subject and without Prejudice nevertheless, to all Leases, Grants, Rents, Charges, and Incumbrances existing at the Time of such Rentcharge or Transfer and Annexation legally affecting the same, except so far as any such Apportionment as aforesaid may affect the same respectively; and all such Lands, Houses, Tithes, Tenements, and Hereditaments, or other permanent Endowments, when so transferred or annexed as aforesaid, shall belong to and the same and the Rents and Profits thereof shall be recoverable by the Incumbent of such Benefice for the Time being, in the same Manner and by the same Remedies as were applicable thereto before such Transfer and Annexation.

Orders in Council to be gazetted and registered, and to have Force of Law.

VII. The Order or Orders in Council affirming any Scheme, or directing any Union of Parishes, Rentcharge, Transfer, or Annexation as aforesaid, shall, as soon as may be after the making thereof by Her Majesty in Council, be inserted and published in the London Gazette, and shall be registered in the Registry of the Diocese, and the Registrar of the Diocese is hereby required to make such Registry; and such Order in Council, so soon as the same shall have been gazetted, shall have full Force and Effect of Law in all respects and as to all Things therein contained, any Law, Statute, Canon, Grant, Usage, or Custom to the contrary notwithstanding: Provided always, that nothing in this Act contained shall be construed to affect the Rights and Interests of any of the Incumbents of Benefices united under the Provisions thereof who at the Time of the making such Order in Council were in possession respectively of such Benefices, without the Consent of such Incumbent expressed in Writing.

Commissioners may propose Scheme for Erection of new Church or Parsonage, Removal of old Church or Parsonage, Sale of Site, &c., for Purposes of this Act.

VIII. If for the Purposes and Objects of this Act it shall be found necessary or desirable to provide for the Erection of any new Church or Parsonage House, for the pulling down or Removal of any existing Church or Parsonage House, in either of the Benefices proposed to be united, for the Sale of the Materials or Site of the same, for the Appropriation of any Plate or other Property held in trust by the Churchwardens of any Church to be pulled down, for the Disposal of any Organ in such Church, for the Appropriation or Re-appropriation of any Pews or Sittings in the Church of the united Benefice left standing, for the Transfer of any Lectureships, the Sale of any Parsonage Houses, with their Appurtenances, for Compensation to Parish Clerks or other Officers, for Arrangement with respect to Fees or Vestry-rooms, it shall and may be lawful for the Church Building Commissioners to make Proposals thereupon as Part of their Scheme, and such Proposals or any of them shall be subject to Objection and Protest as herein provided: Provided nevertheless, that nothing in this

this Act contained shall authorize the Sale of any Plate heretofore used for the Purposes of the Holy Communion, but the same shall be transferred, with the Consent of the Bishop of the Diocese, to the Church of the united Benefice, or if such Plate be not needed for such Church then to any other Church or Chapel or Churches or Chapels within the Diocese which the said Bishop may select.

No Burial Ground, or Site of Church, to be sold under this Act.

Vaults and Tablets.

IX. Nothing in this Act contained shall be taken or construed to legalize the Sale or letting of any Burial Ground or Churchyard, or of the Site of any Church to be pulled down, if there shall have been any Interments or Deposits in any Grave or Vault under the Site of such Church; and if there shall be any Tablets or Monuments erected in such Church, such Tablets or Monuments, if not removed by the legal Representatives of the Parties to whom the same were erected, shall be carefully removed, at the Cost and Charge of the Parties removing the Church, and shall be fixed by them in some convenient Part of the Church thereafter to be constituted the Church of the united Parishes.

Church and Vestry of Church left standing to be the Church and Vestry of united Parishes.

X. From and after the Union of any Two or more Benefices under this Act, the Church left standing and remaining within such united Benefice shall be the Church of the united Parishes, and all Meetings of Vestry for Ecclesiastical Purposes within such Parishes shall be Vestry Meetings of the Parishes united under this Act; and the Vestry-room of the Church left standing within such united Parishes shall be held to be the Vestry-room of the united Parishes for the Use of the Parishioners thereof, and also the Vestry-room for secular Purposes for the Parishioners of each of the Parishes forming the united Parish, and for the Care and Preservation of the Deeds, Muniments, and Records belonging to the same: Provided always, that nothing in this Act contained shall be taken or construed to interfere with any Privileges or Liberties whatsoever reserved to any Parishes in the City of *London* by an Act of the Twenty-second Year of His Majesty King *Charles* the Second, commonly called the City of *London* Fire Act.

Bishop of London may, under certain Circumstances, appropriate for Service in Welsh One of the Churches in London otherwise to be pulled down.

XI. And whereas by the Act of the Session holden in the Sixth and Seventh Years of Her Majesty, Chapter Seventy-seven, it was enacted, that out of the Proceeds of any Lands, Tithes, Tenements, or other Hereditaments in the Principality of *Wales*, vested or to be vested in the Ecclesiastical Commissioners for *England* by or under the Provisions of the said recited Acts or that Act, it should be lawful, by the Authority therein mentioned, to make Provision, in whole or in part, for the competent Maintenance of any Spiritual Person or Persons (being a Native or Natives of the Principality aforesaid)

aforesaid) who might be licensed by the Bishop of the Diocese for the Time being to officiate in any Church or Chapel within *London* or *Westminster* or the Suburbs thereof, duly consecrated for the Performance of Divine Service according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, in the *Welsh* Language, and such Bishop was thereby authorized to license any Spiritual Person or Persons accordingly: It shall be lawful for the Bishop of *London*, if he sees fit, to appropriate for the Performance of Divine Service in the *Welsh* Language, so long as such Provision shall continue to be made by the Ecclesiastical Commissioners for *England*, One of the Churches within his Diocese which might under this Act be pulled down: Provided always, that before such Appropriation sufficient Provision shall be made to the Satisfaction of the said Bishop for the Repairs, Maintenance, and Support of the Fabric of the Church, so long as such Church remains so appropriated.

Bishop may prepare a Scheme for Transference of Lectures from Churches to be pulled down.

XII. And whereas Difficulties might arise in the Case of endowed Lectureships, when the Lectures have been customarily preached in a Church which may be taken down under the Authority of this Act: It shall therefore be lawful for the Bishop of any Diocese for the Time being to prepare from Time to Time under his Hand and Seal a Scheme or Schemes for transferring such Lectures to other Churches, to be preached therein at such Times as to the said Bishop may appear convenient; and such Scheme shall be submitted by the said Bishop to the Charity Commissioners under the "Charitable Trusts Act, 1853," and such Scheme, if approved of by them, or subject to such Alterations therein as may appear to the said Commissioners advisable, and as shall be approved of by the said Bishop, shall be valid for effecting the Purposes therein mentioned, and shall be registered in the Registry of the Diocese: Provided nevertheless, that nothing in this Act contained shall give the Bishop any Power respecting the Appointment of a Lecturer without the Consent of the Incumbent of the Church in which such Lecturer is to officiate.

Commissioners may re-appropriate Pews of Churches left standing in united Benefices.

XIII. When any Church is pulled down, under the Provisions of this Act, Her Majesty's Commissioners for building new Churches, with the Consent of the Bishop of the Diocese or Chancellor of the Diocese under his Hand and Seal, shall and they are hereby authorized to alter and readjust the Pews or Seats and the Appropriation thereof in the Church of the united Benefice left standing, so that not less than One Third of the Sittings in such Church shall be free and unappropriated, and the Remainder be placed at the Disposal of the Churchwardens, under the Control and Direction of the Bishop, of such Church, for the Use of the Parishioners of such united Benefice.

XIV. After

Union of contiguous Benefices.

Sites of Churches to be pulled down to vest in Commissioners, in trust to sell, and apply the Proceeds to Purposes indicated in Order in Council.

XIV. After any Order in Council under this Act shall have obtained full Force of Law, the Fee Simple and Inheritance of the Site of any Church or Parsonage House by such Order in Council directed to be pulled down, and of the Building Materials of such Church or Parsonage House, shall, without any further Transfer, Conveyance, or other Form of Law being had, observed, or required, belong to and be vested in Her Majesty's Commissioners for building new Churches, in trust to make Sale or dispose of such Sites and Materials or any Part thereof, where the same may be sold, under the Powers and for the Purposes of this Act, and in further trust to apply the Proceeds of such Sale or Sales from Time to Time to such of the same Purposes as in the said Order in Council may be indicated; and the said Commissioners, with the Consent of the Bishop of the Diocese under his Hand and Seal, may make a valid Conveyance in Fee Simple to any Body or Person of the Site of any Church or Parsonage House pulled down under this Act, or by virtue of any Order in Council authorized hereby: Provided always, the said Commissioners shall give Two Calendar Months Notice in the *London Gazette* previous to the Sale or Disposal of such Site or any Part thereof, in order that thereby Facilities may be afforded for appropriating such Site to sanitary Purposes, public Improvements, or the Improvements of public Streets in the Vicinity; and if within Two Months from the Time such Notice shall have been inserted in the *London Gazette* the said Commissioners shall not receive an Offer which in their Judgment shall be satisfactory for the Purchase of such Land for the Purposes aforesaid, it shall be lawful for them to make Sale or to dispose of such Ground, at such Time and at such Prices and in such Manner as in their Discretion shall seem fit, and to apply the Proceeds of such Sale or Sales, from Time to Time, for or towards the Purposes hereinbefore mentioned.

Commissioners may make valid Conveyances of such Sites.

Proviso.

Commissioners to report.

XV. The Church Building Commissioners shall make an annual Report to Parliament respecting their Proceedings in pursuance of this Act.

Extent of Act.

XVI. This Act shall extend only to that Part of the United Kingdom called *England* and *Wales*.

Continuance of Act.

XVII. The Operation of this Act shall be limited to Five Years from the Date of the same receiving the Royal Assent.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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Discontinuance of Burials thereunder or other Operation of such Order shall or shall not have arrived,) as to Her Majesty, with such Advice as aforesaid, may seem fit; and every Order of Her Majesty in Council made before the passing of this Act for varying any Order previously made under the said Acts or any of them shall be deemed valid and effectual in Law.

Penalty on Persons burying contrary to the Provisions of Orders in Council.

II. If any Person, after the Time mentioned in any Order in Council under the said Acts or any of them, or this Act, for the Discontinuance of Burials, shall knowingly and wilfully bury any Body or in anywise act or assist in the Burial of any Body in any Church, Chapel, Churchyard, Burial Ground, or Place of Burial or (as the Case may be) within the Limits in which Burials have by such Orders been ordered to be discontinued, in violation of the Provisions of any such Order, every Person so offending shall, upon summary Conviction before Two Justices of the Peace, forfeit a Sum not exceeding Ten Pounds.

Power to Churchwardens to call Vestry Meetings for providing Burial Grounds.

Where Order in Council has been made, or Notice given to apply to the Privy Council for closing Burial Grounds, Churchwardens shall call a Meeting of Vestry.

III. The Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry of any Parish in which no Burial Board has been appointed may, at any Time, at their Discretion, without Requisition of Ratepayers for that Purpose, convene a Meeting of such Vestry for the Purpose of determining whether a Burial Ground shall be provided for the Parish; and where any Order in Council has been made before the passing of this Act for discontinuing Burials (wholly or subject to any Exception or Qualification) in any Burial Ground of any Parish for which no Burial Board has been appointed, or Notice has been given of the Intention of the Secretry of State to make a Representation to Her Majesty in Council that Burials should be discontinued (wholly or subject to any Exception or Qualification) in any Burial Ground of any Parish, the Churchwardens or other Persons to whom it belongs to convene Meetings of Vestry shall, with all convenient Speed after the passing of this Act, convene a Meeting of the Vestry for the Purpose aforesaid; and where at any Time hereafter Notice is given of the Intention of the Secretary of State to make a like Representation in relation to a Burial Ground of any Parish, such Churchwardens or other Persons as aforesaid shall forthwith convene a Meeting of the Vestry for the Purpose aforesaid; and all the Provisions of the said Acts as amended by this Act relating to and consequent upon Vestry Meetings convened upon such Requisition as provided by the first-recited Act shall be applicable to Vestry Meetings convened under this Enactment.

Vacancies in Burial Board to be filled up by Vestry within a Month.

IV. Every Vacancy in any Burial Board shall be filled up by the Vestry appointing the same within One Month after such Vacancy shall have happened, and immediately on the Occurrence thereof the same shall be notified by the Burial Board to the Churchwardens

or

or other Persons to whom it belongs to convene Meetings of the Vestry; and in case any such Vestry shall neglect to fill up any such Vacancy, the Vacancy may be filled up by the Burial Board at any Meeting thereof; and every Person to be appointed to supply any such Vacancy shall be a Ratepayer of the Parish for which the Burial Board is appointed; and every such Board may act for any Purpose, notwithstanding any Vacancies therein.

V. So much of Section Thirteen of the said Act of the Fifteenth and Sixteenth Years of Her Majesty as requires that the Burial Board shall meet once at least in every Month shall be repealed.

Monthly Meetings of Boards repealed.

VI. If the Vestry of any Parish shall refuse or neglect to authorize the Expenditure of such Sums as the Burial Board of such Parish shall have declared to be necessary for providing and laying out a Burial Ground, and building the necessary Chapel or Chapels therein, it shall be lawful for such Burial Board to represent such Refusal or Neglect to One of Her Majesty's Principal Secretaries of State; and in case it shall appear to the Secretary of State, after Inquiry into the Circumstances of the Case, that the Burial Board are unable to provide such Burial Ground, or to proceed effectually in the Execution of their Duties, by reason of such Refusal or Neglect, it shall be lawful for such Secretary of State, by Warrant under his Hand, to authorize such Burial Board, without further Authority, Sanction, or Approval of or by such Vestry, to expend such Sums of Money for providing and laying out a Burial Ground, and building the necessary Chapel or Chapels thereon, and to borrow and charge such Money for all or any of such Purposes, and to enter into and make such Contracts and Purchases, and do such other Acts as under the Sections Nineteen, Twenty, Twenty-six, and Forty-two of the said Act of the Fifteenth and Sixteenth Years of Her Majesty might have been expended, borrowed, and charged, entered into, made, and done with the Authority, Approval, and Sanction of such Vestry, subject, nevertheless, to such Limitation of Amount or other Limitation or Restriction as such Secretary of State may by his Warrant prescribe; and all Acts done in pursuance of such Warrant shall be as valid and effectual as if the Authority, Approval, and Sanction of such Vestry had in every Case been obtained.

Sanction of Vestry not required for Expenditure and other Acts of Burial Board in certain Cases.

VII. All such Fees, Payments, and Sums as may be fixed, settled, and received by any Burial Board under Section Thirty-four of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, shall be so fixed and settled subject to the Approval of One of Her Majesty's Principal Secretaries of State; and no such Fees, Payments, or Sums shall be altered or varied without such Approval.

Fees, &c. to be subject to the Approval of Secretary of State.

VIII. It

Secretary of State may direct Inspection of Burial Grounds.

VIII. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint and authorize any Person to inspect any Burial Ground or Cemetery, parochial or non-parochial, or Place for the Reception of Bodies, to ascertain the State and Condition thereof, and where Regulations in relation thereto have been made or may be made by the Secretary of State under the said Acts or any of them, to ascertain whether such Regulations have been observed and complied with; and if any Person having the Care of any such Burial Ground or Cemetery or other Place shall obstruct any Person so authorized to inspect the same, or if any Person having the Care of any Burial Ground or Place for the Reception of Bodies subject to such Regulations as aforesaid shall violate or neglect or fail to observe and comply with any such Regulation, or any Regulation imposed by this Act, every Person so offending shall upon summary Conviction thereof before Two Justices forfeit and pay a Sum not exceeding Ten Pounds.

Penalty for obstructing Inspector or violating Regulations.

Part of Section 24. of 15 & 16 Vict. c. 85. repealed.

IX. So much of the said Act of the Fifteenth and Sixteenth Years of Her Majesty as enacts that "no Ground (not already used as or appropriated for a Cemetery) shall be appropriated as a Burial Ground or as an Addition to a Burial Ground under that Act nearer than Two hundred Yards to any Dwelling House, without the Consent in Writing of the Owner, Lessee, and Occupier of such Dwelling House," shall be repealed; but no Ground not already used as or appropriated for a Cemetery shall be used for Burials under the said Act or this Act, or either of them, within the Distance of One hundred Yards from any Dwelling House, without such Consent as aforesaid.

Burial Ground not to be within 100 Yards of a Dwelling House.

If Ratepayers resolve, Land for new Burial Ground may be conveyed and settled as old Burial Ground.

X. If the Ratepayers assembled at any Vestry duly convened under the Provisions of this Act shall, in pursuance of public Notice duly given in that Behalf, resolve unanimously that any new Burial Ground to be provided for their Parish, under the Provisions of this Act, shall be held and used in like Manner and subject to the same Laws and Regulations in all respects as the existing Burial Ground or Churchyard of the said Parish, the Land for such new Burial Ground may be conveyed and settled in accordance with such Resolution, anything in this or the said recited Acts notwithstanding, and in such Case it shall not be necessary to set apart to remain unconsecrated any Portion of the Land so conveyed and settled: Provided always, that if at any Time within Ten Years thereafter the Vestry, duly convened under the Provisions of this Act in pursuance of public Notice duly given in that Behalf, should determine that an unconsecrated Burial Ground should be also provided for such Parish, all the Powers and Provisions of the said recited Acts and this Act may be put in force and shall be applicable for providing such unconsecrated Burial Ground separately,

separately, in like Manner as they might have been put in force and been applicable for providing an ordinary Burial Ground for such Parish.

How Burial Grounds are to be provided for united Parishes.

XI. Where a Parish or Place has been united with any other Parish or Place, Parishes or Places, for all or any Ecclesiastical Purposes, or where Two or more Parishes or Places have heretofore had a Church or a Burial Ground for their joint Use, or where the Inhabitants of several Parishes or Places have been accustomed to meet in One Vestry for Purposes common to such several Parishes or Places, it shall be lawful for the Vestry or any Meeting in the Nature of a Vestry of such several Parishes or Places in any of the Cases aforesaid, and whether any One or more of such Parishes or Places do or do not separately maintain its own Poor, to appoint a Burial Board, and from Time to Time to supply Vacancies therein, and to exercise the same Powers of Authorization, Approval, and Sanction in relation to such Burial Board, and such other Powers as under the said Acts and this Act are vested in the Vestry of a Parish or Place separately maintaining its own Poor; and the Burial Board so appointed shall have all the Powers for providing a Burial Ground for the common Use of such several Parishes or Places, and for facilitating Interments, and otherwise, as if such several Parishes or Places had been a Parish separately maintaining its own Poor; and the Expenses of the Burial Board appointed under this Provision shall be borne by the several Parishes or Places for which such Board is appointed, and shall be apportioned among them by such Burial Board in proportion to the Value of the Property in such several Parishes or Places as rated to the Relief of the Poor; and the Sums required by the Burial Board in respect of the Portion of such Expenses to be borne by any such Parish or Place shall be paid out of the Rates for the Relief of the Poor in such Parish or Place, in like Manner as if such Burial Board had been appointed for such Parish or Place alone.

Burial Boards may be appointed for Township, &c. (not separately maintaining their own Poor) which have had separate Burial Grounds.

XII. The Vestry or Meeting in the Nature of a Vestry of any Parish, Township, or other District not separately maintaining its own Poor, which has heretofore had a separate Burial Ground, may appoint a Burial Board, and from Time to Time supply Vacancies therein, and may exercise the same Powers of Authorization, Approval, and Sanction in relation to such Burial Board, and such other Powers as under the said Acts and this Act are vested in the Vestry of a Parish separately maintaining its own Poor; and the Burial Board so appointed shall have all the Powers for providing a Burial Ground and otherwise as if such Parish, Township, or other District had been a Parish separately maintaining its own Poor.

Provision for Expenses of Burial

XIII. Where any District (whether a Parish or Township or other Subdivision) not separately maintaining its own Poor, but forming

Boards of Places not separately maintaining their own Poor.

Part of a Parish maintaining its own Poor, or of an Incorporation or other Union maintaining the Poor of the Places comprised therein, by means of a common Rate, shall have a Burial Board, or shall form Part of a Place or Union of Places not co-extensive with the Area rated for the Relief of the Poor, and having One Burial Board, it shall be lawful for such respective Burial Board to issue their Certificate to the Overseers of such Parish, or the Overseers or other Persons authorized to make and collect or cause to be collected such common Rate (as the Case may be), for Payment of the Sums required for the Expenses of such Burial Board, or, where such District not separately maintaining its own Poor forms Part only of the Area of the Burial Board, of the Sums required in respect of the Portion of such Expenses to be borne by such District, in like Manner as if such District had been a Parish separately maintaining its own Poor, and such Overseers or Persons authorized as aforesaid had been the Overseers thereof; and such Overseers or Persons shall pay such Sums as shall be required by such Certificate, according to the Directions of such Burial Board, and shall levy such Sums as may be required for such Payments to the Burial Board by an Addition to the Parish Rate or common Rate, so far as the same affects the District in respect of which such Payments are required, or by separate Rates to be made from Time to Time on such District; and for levying such Additions or separate Rates as aforesaid such Overseers or other Persons shall have the Powers, Remedies, and Privileges, and proceed in the same Manner, as in the Case of the Rates for the Relief of the Poor; provided that any such Rates may (notwithstanding any Restriction in relation to the Parish Rate or common Rate) be made and levied at such Times as may be necessary to provide for the Payments aforesaid.

No Obligation to build a Chapel for Persons not Members of the Church of England when Secretary of State, upon Representation of Three Fourths of Vestry, declares it unnecessary.

XIV. And whereas Doubts have arisen whether in all Cases in which any Burial Board shall build in any Burial Ground provided by such Board a Chapel for the Burial Service according to the Rites of the United Church of *England* and *Ireland*, such Burial Board is not also bound by Law to build a Chapel or Chapels upon the unconsecrated Part of such Burial Ground for the Performance of Burial Service for Persons not being Members of the said Church: Be it enacted, That in any such Case as aforesaid, where it shall appear to One of Her Majesty's Principal Secretaries of State, upon the Representation of a Majority of the Vestry of any Parish, consisting of not less than Three Fourths of the Members of the same, that the building of a Chapel upon the unconsecrated Part of any such Burial Ground for the Use of Persons not being Members of the said Church is undesirable and unnecessary, it shall be lawful for the said Secretary of State, if he shall think fit, to signify his Opinion to that Effect to the Burial Board of the Parish, and the said

said Burial Board shall thereupon be relieved from all Obligation to build the same: Provided always, that such Secretary of State shall not signify his Opinion as aforesaid unless it be shown to his Satisfaction that Notice of the Intention to propose to such Vestry to make such Representation was given in manner required by Law for Notices of Vestry Meetings, and of the special Purposes thereof.

Assessment to local Rates not to be increased after Purchases for the Purposes of this or any former Act.

XV. No Land already or to be hereafter purchased or acquired, under the Provisions of any of the Acts herein-before recited, for the Purpose of a Burial Ground (with or without any Building erected or to be erected thereon), shall while used for such Purposes be assessed to any County, Parochial, or other local Rates at a higher Value or more improved Rent than the Value or Rent at which the same was assessed at the Time of such Purchase or Acquisition.

Separate Burial Boards whose Burial Grounds adjoin may contract with each other for specific Purposes.

XVI. That in any Case where the Burial Boards appointed under the said recited Acts of the Fifteenth and Sixteenth and the Sixteenth and Seventeenth Years of Her Majesty, or either of them, for any Two Parishes, shall provide separate Burial Grounds for such Parishes respectively, and such Burial Grounds shall adjoin each other, it shall be lawful for the said Burial Boards to concur in building, either on One of the said Burial Grounds or partly on One of such Grounds and partly on the other, such Chapels as are authorized to be built by the said Acts, and that such Chapels when erected shall be used in common by both of such Parishes, and be deemed and taken to be the Chapels of and belonging to each of such Burial Grounds respectively, in such Manner, consistent with the Provisions of the said Acts or either of them, as the said Burial Boards shall mutually agree upon; and that the said Burial Boards may agree as to the Proportions in which the Expenses of erecting such Chapel Accommodation shall be borne by each of the said Boards respectively; and the Proportion for each of such Parishes of such Expenses shall be chargeable upon and paid in the same Manner as the Costs of providing Burial Grounds under the said Acts; and where any Burial Board shall provide a Burial Ground, and cause Chapels to be built thereon, pursuant to the said recited Acts, it shall be lawful for such Burial Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, to contract with any other Burial Board whose Burial Ground shall adjoin the One on which such Chapels shall so have been built, for the Use of such Chapels, in such Manner and on such Terms as such respective Burial Boards shall mutually agree, and that during the Existence of any such Agreement such Chapels shall be deemed and taken to be the Chapels of and belonging to each of such Burial Grounds respectively.

Burial Board may let Land not required for Burials.

XVII. It shall be lawful for any Burial Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, and subject to Regulations

Regulations approved of by him, to let any Land purchased by and vested in them under this Act or any of the Acts herein-before recited, and which has not been consecrated, and in which no Body has been at any Time interred, and which is not for the Time being required for the Purposes of a Burial Ground, in such Manner and on such Terms as such Board may see fit, but so nevertheless that Power shall be reserved to such Board to resume any such Land which may be required for the Purposes aforesaid, upon giving Six Months Notice.

Burial Board to keep in Order closed Burial Grounds, &c.

XVIII. In every Case in which any Order in Council has been or shall hereafter be issued for the Discontinuance of Burials in any Churchyard or Burial Ground, the Burial Board or Churchwardens, as the Case may be, shall maintain such Churchyard or Burial Ground of any Parish in decent Order, and also do the necessary Repair of the Walls and other Fences thereof, and the Costs and Expenses shall be repaid by the Overseers, upon the Certificate of the Burial Board or Churchwardens, as the Case may be, out of the Rate made for the Relief of the Poor of the Parish or Place in which such Churchyard or Burial Ground is situate, unless there shall be some other Fund legally chargeable with such Costs and Expenses.

Act not to abridge Powers of Local Boards of Health, &c.

XIX. Nothing in this Act contained shall in anywise abridge, lessen, or defeat any Power, Right, or Privilege of any Local Board of Health being the Burial Board of a Borough created or to exist under or by virtue of any Local Act of Parliament.

Local Boards of Health to exercise Powers of this Act.

XX. Any Local Board of Health acting as or created a Board under or by virtue of the Powers of any Local Act of Parliament shall and may have and exercise all the Powers, Rights, and Privileges which by this Act or by the secondly recited Act are or can or may be had, enjoyed, or exercised by any Burial Board therein named.

Acts to be construed together.

XXI. The said Acts of the Fifteenth and Sixteenth, Sixteenth and Seventeenth, and Seventeenth and Eighteenth Years of Her Majesty and this Act shall be read and construed together as One Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. CXXIX.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-five, and to appropriate the Supplies granted in this Session of Parliament.

[14th *August* 1855.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

There shall be applied for the Service of the Year 1855 the Sum of 26,006,352*l.* 12*s.* 9*d.* out of the Consolidated Fund.

I. There shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service of the Year One thousand eight hundred and fifty-five, the Sum of Twenty-six million six thousand three hundred and fifty-two Pounds Twelve

Twelve Shillings and Ninepence out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland, or the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasurer may cause 26,006,352*l.* 12*s.* 9*d.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

II. It shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at Westminster for any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-six million six thousand three hundred and fifty-two Pounds Twelve Shillings and Ninepence; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King George the Third, Chapter One, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, Chapter Fifteen, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Sixty-six.

the Clauses, &c. in recited Acts extended to this Act.

III. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny per Centum per Diem upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 26,006,352*l.* 12*s.* 9*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. It shall and may be lawful for the Governor and Company of the Bank of England, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at Westminster, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-six million six thousand

thousand three hundred and fifty-two Pounds Twelve Shillings and Ninepence, anything in an Act passed in the Fifth and Sixth Years of the Reign of King William and Queen Mary, Chapter Twenty, or in any other Act or Acts, to the contrary notwithstanding.

Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VI. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of England, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of England, under the Authority of this Act.

Monies raised by Bills to be applied to the Services voted by the Commons.

VII. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of Great Britain and Ireland in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VIII. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at Westminster, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of England unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Treasury may apply for the Service of the Year 1855 5,599,112*l.* 6*s.* 8*d.* Surplus of Ways and Means.

IX. There shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service of the Year One thousand eight hundred and fifty-five, the Sum of Five million five hundred ninety-nine thousand one hundred and twelve Pounds

Pounds Six Shillings and Eightpence, being the Surplus of Ways and Means granted for the Service of preceding Years, and the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland, or the Lord High Treasurer of the said United Kingdom, are or is hereby authorized and empowered to issue and apply the same accordingly.

Appropriation of Ways and Means to Services hereafter expressed.

18 & 19 Vict. c. 5.

18 & 19 Vict. c. 6.

18 & 19 Vict. c. 8.

18 & 19 Vict. c. 37.

X. All the Monies coming into the Exchequer of the United Kingdom of Great Britain and Ireland by an Act passed in this Session of Parliament, intituled "An Act to apply the Sum of Three "million three hundred thousand Pounds out of the Consolidated "Fund to the Service of the Year ending the Thirty-first Day of "March One thousand eight hundred and fifty-five," and also the Sum of Twenty Millions granted by One other Act passed in this Session of Parliament, intituled "An Act to apply the Sum of "Twenty Millions out of the Consolidated Fund to the Service of "the Year One thousand eight hundred and fifty-five," and also the Sum of Seventeen million one hundred and eighty-three thousand Pounds granted by One other Act passed in this Session of Parliament, intituled "An Act for the raising the Sum of Seventeen "million one hundred and eighty-three thousand Pounds by Ex-"chequer Bills for the Service of the Year One thousand eight "hundred and fifty-five," and also the Sum of Ten Millions granted by One other Act passed in this Session of Parliament, intituled "An Act to apply the Sum of Ten Millions out of the Consolidated "Fund to the Service of the Year One thousand eight hundred and "fifty-five," and also the respective Sums of Twenty-six million six thousand three hundred and fifty-two Pounds Twelve Shillings and Ninepence, and of Five million five hundred ninety-nine thousand one hundred and twelve Pounds Six Shillings and Eightpence, by this Act granted, amounting in the aggregate to the Sum of Sixty-four million nine hundred five thousand four hundred and sixty-four Pounds Nineteen Shillings and Fivepence in Money, and Seventeen million one hundred and eighty-three thousand Pounds in Exchequer Bills, shall be further appropriated, and are hereby appropriated, and shall be issued and applied for or towards the several Uses and Purposes hereafter expressed.

There shall be issued 77,099*l.* for Excess of Naval Expenditure beyond the Grants for 1853–4;

XI. And whereas, in order to provide for the Exigencies of the Naval Service, it has been necessary to incur an Expenditure for Naval Services beyond the Grants for the Years ending on the Thirty-first Day of March One thousand eight hundred and fifty-four and on the Thirty-first Day of March One thousand eight hundred and fifty-five, amounting to Two million fifteen thousand two hundred and three Pounds: Be it enacted, That out of all or any the Aids or Supplies

Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seventy-seven thousand and ninety-nine Pounds, to defray the Excess of the Naval Expenditure beyond the Grants for the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One million nine hundred thirty-eight thousand one hundred and four Pounds, to defray the estimated Excess of the Naval Expenditure beyond the Grants for the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-five.

1,938,104*l.* for Excess of Naval Expenditure beyond the Grants for 1854–5.

XII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Nineteen million three hundred seventy-nine thousand and thirteen Pounds, for or towards the Navy Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding Two million eight hundred eighty-five thousand five hundred and sixty-seven Pounds, to defray the Charge of Wages to Seventy thousand Seamen and Marines, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One million three hundred seventy-four thousand and eighty-one Pounds, to defray the Charge of Victuals to Seamen and Marines in Her Majesty's Fleet, which will come in course of Payment during the Year ending on the Thirty first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One hundred forty thousand four hundred and sixty-nine Pounds, to defray the Salaries of the Officers and the contingent Expenses of the Admiralty Office, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifty thousand Pounds, to defray the Charges for the Royal Naval Coast Volunteers, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifty-one thousand six hundred and seventy-six Pounds, to defray the Salaries of the Officers and the contingent Expenses of the several Scientific Departments of the Navy, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One hundred forty-two thousand five hundred and seventy-one Pounds, to defray the Salaries of the Officers and the contingent Expenses of Her Majesty's Naval Establishments at home, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-

There shall be issued 19,379,013*l.* for Navy Services; viz.

2,885,567*l.* for Wages to 70,000 Seamen and Marines;

1,374,081*l.* for Victuals, &c. in the Navy

140,469*l.* for Salaries, &c. of the Admiralty Office;

50,000*l.* for the Royal Naval Coast Volunteers;

51,676*l.* for the Navy Scientific Departments;

142,571*l.* for Naval Establishments at home,

26,919*l.* for Naval Establishments abroad;

fifty-six; and any Sum or Sums of Money not exceeding Twenty-six thousand nine hundred and nineteen Pounds, to defray the Salaries of the Officers and the contingent Expenses of Her Majesty's Naval Establishments abroad, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

1,112,220*l.* for Wages of Artificers, &c. at home;

and any Sum or Sums of Money not exceeding One million one hundred twelve thousand two hundred and twenty Pounds, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at home, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

60,500*l.* for Wages of Artificers, &c. abroad;

and any Sum or Sums of Money not exceeding Sixty thousand five hundred Pounds, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments abroad, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

3,991,969*l.* for Naval Stores, &c.;

and any Sum or Sums of Money not exceeding Three million nine hundred ninety-one thousand nine hundred and sixty-nine Pounds, to defray the Expense of Naval Stores for the Building, Repair, and Outfit of the Fleet, the Purchase of Steam Machinery, and for other Purposes connected therewith, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

629,071*l.* for new Works in Naval Establishments;

and any Sum or Sums of Money not exceeding Six hundred twenty-nine thousand and seventy-one Pounds, to defray the Charge of new Works, Improvements, and Repairs in the Naval Establishments, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

64,100*l.* for Medicines, &c.;

and any Sum or Sums of Money not exceeding Sixty-four thousand one hundred Pounds, to defray the Charge of Medicines and Medical Stores, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

74,086*l.* for Naval Miscellaneous Services;

and any Sum or Sums of Money not exceeding Seventy-four thousand and eighty-six Pounds, to defray the Charge of divers Naval Miscellaneous Services, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

635,497*l.* for Naval Half Pay, &c.;

and any Sum or Sums of Money not exceeding Six hundred thirty-five thousand four hundred and ninety-seven Pounds, to defray the Charge of Half Pay, Reserved Half Pay, and Retirement to Officers of the Navy and Royal Marines, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six;

469,222*l.* for Military Pensions;

and any Sum or Sums of Money not exceeding Four hundred sixty-nine thousand two hundred and twenty-two Pounds, to defray the Charge of Military Pensions and Allowances, which will come in course

course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One hundred forty-nine thousand five hundred and fifty-eight Pounds, to defray the Charge of Civil Pensions and Allowances, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six million seven hundred and sixty-six thousand two hundred and sixty-eight Pounds, to defray the Salaries and contingent Expenses of the Transport Service, for the Freight of Ships, for the Victualling and Conveyance of Troops on account of the Army and Ordnance Departments, and for Expenses arising from Prisoners of War, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seven hundred fifty-five thousand two hundred and thirty-nine Pounds, to defray the Charge of the Post Office Packet Service, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six.

149,558*l.* for Civil Pensions;

6,766,268*l.* for Transport Service, Freight of Ships, &c., for Army and Ordnance Services, and for Expenses of Prisoners of War;

755,239*l.* for Packet Service.

XIII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Eighteen million seven hundred and eighty-nine thousand five hundred and thirty-two Pounds, for or towards the Army Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding Seven million three hundred fifty-three thousand eight hundred and four Pounds, for defraying the Charge of Her Majesty's Land Forces in the United Kingdom of Great Britain and Ireland and on Foreign Stations (excepting India), which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Three hundred fourteen thousand nine hundred and eighty-four Pounds, for defraying the Charge of General Staff Officers and Officers of the Hospitals serving with Her Majesty's Forces in the United Kingdom of Great Britain and Ireland and on Foreign Stations (excepting India), which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding One hundred fifty-one thousand one hundred and eight Pounds, for defraying the Charge of Allowances and contingent Expenses of the several Public Departments of Her Majesty's Land Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and

There shall be issued 18,789,532*l.* for Army Services, viz.:

7,353,804*l.* for Forces in U.K. and Stations abroad (except East Indies);

314,984*l.* for General Staff Officers, &c.;

151,108*l.* for Allowances to Officers, &c. of Public Military Departments;

and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Seventeen thousand seven hundred and ninety-five Pounds, for defraying the Charge of the Royal Military College, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Twenty-three thousand three hundred and sixty-seven Pounds, for defraying the Charge of the Royal Military Asylum and Hibernian Military School, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Eighty-eight thousand Pounds, for defraying the Charge of Volunteer Corps, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Three million eight hundred thirteen thousand three hundred and eighty-three Pounds, for defraying the Charge of Embodied Militia in the United Kingdom of Great Britain and Ireland, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Twenty-two thousand Pounds, for defraying the Charge of Allowances as Rewards for distinguished Services, of Allowances to Officers of Her Majesty's Garrisons, including the Garrison of the Tower of London, and of Allowances to Serjeants as Rewards for distinguished or meritorious Service, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Sixty-four thousand Pounds, for defraying the Charge of the Pay of General Officers of Her Majesty's Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Fifty-five thousand Pounds, for defraying the Charge of Full Pay for Reduced and Retired Officers of Her Majesty's Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Three hundred and eighteen thousand Pounds, for defraying the Charge of Half Pay and Military Allowances to Reduced and Retired

17,795*l.* for Royal Military College;

23,367*l.* for Royal Military Asylum, &c.;

88,000*l.* for Volunteer Corps;

3,813,383*l.* for Embodied Militia;

22,000*l.* for Rewards for distinguished Military Services;

64,000*l.* for Pay of General Officers;

55,000*l.* for Full Pay for Retired Officers;

318,000*l.* for Half Pay for Retired Officers;

Retired Officers of Her Majesty's Land Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Thirty-two thousand seven hundred and seven Pounds, for defraying the Charge of Half Pay and Reduced Allowances of disbanded Foreign Corps, of Pensions to wounded Foreign Officers, and of the Allowances to the Widows and Children of deceased Foreign Officers, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding One hundred twenty-four thousand four hundred and fifty-four Pounds, for defraying the Charge of Pensions to be paid to Widows of Officers of Her Majesty's Land Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Eighty-one thousand Pounds, for defraying the Charge of Allowances on the Compassionate List, of Allowances as of Her Majesty's Royal Bounty, and of Pensions, Gratuities, and Allowances to Officers for Wounds, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Thirty-one thousand seven hundred and eighty-seven Pounds, for defraying the Charge of Chelsea and Kilmainham Hospitals, and the In-Pensioners thereof, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding One million one hundred eighty-eight thousand five hundred and eighty-nine Pounds, for defraying the Charge of the Out-Pensioners of Chelsea Hospital, of Pensions granted to discharged Negro Soldiers, of Pensioners from Hanoverian Corps which served with the British Army in One thousand seven hundred and ninety-three, One thousand seven hundred and ninety-four, and One thousand seven hundred and ninety-five, and of the Military Organization of Out-Pensioners, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Thirty-eight thousand seven hundred Pounds, for defraying the Charge of Allowances, Compensations, and Emoluments in the Nature of Superannuation or Retired Allowances to Persons formerly belonging to Public Departments, which will come in course of Payment

32,707*l.* for Half Pay for Officers of disbanded Foreign Corps, &c.;

124,454*l.* for Pensions to Widows;

81,000*l.* for Compassionate List, &c;

31,787*l.* for In-Pensioners of Chelsea and Kilmainham Hospitals;

1,188,589*l.* for Out-Pensioners of Chelsea Hospital, &c.;

38,700*l.* for Superannuations in Military Public Departments;

ment from the First Day of April One thousand eight hundred and fifty-five to the Thirty-first Day of March One thousand eight hundred and fifty-six inclusive; and any Sum or Sums of Money not exceeding Four million nine hundred nineteen thousand five hundred and thirty-four Pounds, to defray the Charge of the Commissariat Department, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Forty-two thousand one hundred and twenty Pounds, to defray the Charge of Half Pay, Pensions, and Allowances in the Commissariat Department, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One hundred and nine thousand two hundred Pounds to defray the Charge of the Disembodied Militia of Great Britain and Ireland, which will come in course of Payment to the Thirty-first Day of March One thousand eight hundred and fifty-six.

4,919,534*l.* for Commissariat Department;

42,120*l.* for Half Pay of Commissariat Department;

109,200*l.* for Disembodied Militia.

There shall be issued 1,402,961*l.* for Excess of Ordnance Expenditure beyond the Grants for 1854-5.

XIV. And whereas, in order to provide for the Exigencies of the Ordnance Services, it has been necessary to incur an Expenditure for Ordnance Services beyond the Grants for the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-five amounting to One million four hundred and two thousand nine hundred and sixty-one Pounds: Be it therefore enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One million four hundred and two thousand nine hundred and sixty-one Pounds, for defraying the estimated Excess of the Ordnance Expenditure beyond the Grants for the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-five.

There shall be issued 8,644,142*l.* for Ordnance Services; viz.

XV. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Eight million six hundred forty-four thousand one hundred and forty-two Pounds, for or towards the Ordnance Services hereinafter more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding One million one hundred seventeen thousand eight hundred and thirty-three Pounds, to defray the Expense of the Pay, Allowances, and Contingencies of Ordnance Military Corps, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One million four hundred and six thousand eight hundred and eighty-three Pounds, to defray the Expense of Commissariat and Barrack Supplies for Her Majesty's Forces, Great Coats for the Army, and Clothing for the Militia, which will come in course

1,117,833*l.* for Pay of Ordnance Military Corps;

1,406,883*l.* for Commissariat and Barrack Supplies, &c.;

course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three hundred and three thousand one hundred and forty-nine Pounds, to defray the Expense of Establishments at home and abroad, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Four hundred forty-three thousand three hundred and seventy-eight Pounds, to defray the Expense of Wages at home and abroad, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three million five hundred fifty-eight thousand nine hundred and eighty Pounds, to defray the Expense of Ordnance Stores for Land and Sea Service, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One million three hundred eighty-seven thousand five hundred Pounds, to defray the Expense of Works, Buildings, and Repairs, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One hundred fifty-eight thousand one hundred and ninety-six Pounds, to defray the Expense of the Scientific Branch, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One hundred ninety-seven thousand six hundred and fifty-seven Pounds, to defray the Expense of Non-effective Services, Military and Civil, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seventy thousand five hundred and sixty-six Pounds, to defray the Expense of the Ordnance Office, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six.

303,149*l.* for Establishments at home and abroad;

443,378*l.* for Wages, &c.;

3,558,980*l.* for Ordnance Stores for Land and Sea Service;

1,387,500*l.* for Works and Repairs;

158,196*l.* for Scientific Branch;

197,657*l.* for Non-effective Services;

70,566*l.* for Ordnance Office.

XVI. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seventeen million one hundred and eighty-three thousand Pounds, to pay off and discharge Exchequer Bills charged on the Aids of One thousand eight hundred and fifty-five unprovided for.

There shall be issued 17,183,000*l.* to pay off Exchequer Bills of 1855.

XVII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Three Millions, to enable Her Majesty to provide for any additional

There shall be issued 3,000,000*l.* for additional Expense in the War against Russia.

additional Expense which may arise in consequence of the War in which Her Majesty is now engaged against the Emperor of all the Russias.

There shall be issued 100,000*l.* for Civil Contingencies.

XVIII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred thousand Pounds, to defray the Charge of Civil Contingencies to the Thirty-first Day of March One thousand eight hundred and fifty-six.

There shall be issued 176,400*l.* for Excess of Expenditure for Printing, &c. beyond the Grant for 1854-5.

8,000*l.* for Excess of Expenses of Ministers at Foreign Courts beyond the Grant for 1854-5.

XIX. And whereas, in order to provide for the Exigencies of the Civil Services, it has been necessary to incur an Expenditure for Civil Services beyond the Grants for the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-five amounting to One hundred eighty-four thousand four hundred Pounds: Be it enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred seventy-six thousand four hundred Pounds, to defray the estimated Excess of Expenditure for Printing and Stationery of Public Departments beyond the Grant for the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-five; and any Sum or Sums of Money not exceeding Eight thousand Pounds, to defray the estimated Excess of extraordinary Expenses of Ministers at Foreign Courts beyond the Grant for the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-five.

Civil Services, *Class* 1.

Civil Services.—Class 1.

There shall be issued 154,952*l.* for Repair of Royal Palaces, &c.;

69,544*l.* for Repair of Royal Parks, &c.;

122,209*l.* for New Houses of Parliament;

6,000*l.* for Public Record Repository;

XX. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred fifty-four thousand nine hundred and fifty-two Pounds, to defray, to the Thirty-first Day of March One thousand eight hundred and fifty-six, the Expense of Maintenance and Repairs of Royal Palaces and Public Buildings; and any Sum or Sums of Money not exceeding Sixty-nine thousand five hundred and forty-four Pounds, to defray, to the Thirty-first Day of March One thousand eight hundred and fifty-six, the Expense of maintaining and keeping in repair the Royal Parks, Pleasure Grounds, &c., and other Charges connected therewith; and any Sum or Sums of Money not exceeding One hundred twenty-two thousand two hundred and nine Pounds, for Works and Expenses at the New Houses of Parliament, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six thousand Pounds, towards defraying, to the Thirty-first Day of March One thousand eight hundred and fifty-six, the Expense of a General Repository

Repository for Records; and any Sum or Sums of Money not exceeding One hundred twenty-two thousand eight hundred and forty-one Pounds, on account of the Works at the New Packet Harbour and Harbour of Refuge at Holyhead, &c., to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two hundred and thirty-four thousand Pounds, towards defraying the Expense of constructing certain Harbours of Refuge, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three hundred and seventy-five Pounds, to defray the Expense of the Pay of the Establishment and the necessary Works at Port Patrick Harbour, to the Thirty-first Day of March One thousand eight hundred and fifty six; and any Sum or Sums of Money not exceeding Thirty thousand nine hundred and sixty-three Pounds, to defray the Expense of repairing and maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five thousand eight hundred and seventy-six Pounds, to defray the Expense of the Works and Establishment of Kingstown Harbour, to the Thirty-first Day of March One thousand eight hundred and fifty-six.

122,841*l.* for Holyhead Harbour;

234,000*l.* for Harbours of Refuge;

375*l.* for Port Patrick Harbour;

30,963*l.* for Public Buildings in Department of Public Works in Ireland,

5,876*l.* for Kingstown Harbour,

CIVIL SERVICES.—Class 2.

CIVIL SERVICES, *Class* 2.

XXI. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Eighty-two thousand one hundred and forty Pounds, to pay the Salaries and Expenses of the Two Houses of Parliament, and Allowances to the retired Officers of the Two Houses, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifty-four thousand four hundred Pounds, to pay the Salaries and Expenses of the Department of Her Majesty's Treasury, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-seven thousand five hundred and ninety-five Pounds, to pay the Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Eighty-three thousand eight hundred and forty-nine Pounds, to pay the Salaries and Expenses in the Department of Her Majesty's Secretary of State for Foreign Affairs, and also of the Queen's Messengers and Extra Couriers attached to that Department, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or

There shall be issued 82,140*l.* for Salaries, &c. of Houses of Parliament;

54,400*l.* for the Treasury;

27,595*l.* for the Home Department;

83,849*l.* for the Foreign Department;

35,897*l.* for Department of Colonies;

Sums of Money not exceeding Thirty-five thousand eight hundred and ninety-seven Pounds, to pay the Salaries and Expenses in the Department of Her Majesty's Secretary of State for the Colonies, to the Thirty-first Day of March One thousand eight hundred and fifty-six;

5,733*l.* for the Privy Council, Board of Trade, &c.;

and any Sum or Sums of Money not exceeding Seventy-five thousand seven hundred and thirty-three Pounds, to pay the Salaries and Expenses in the Department of Her Majesty's Most Honourable Privy Council, and Committee of Privy Council for Trade, including the Railway and Marine Departments, and the Registrar of Merchant Seamen, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding

2,700*l.* for Lord Privy Seal;

Two thousand seven hundred Pounds, to pay the Salary of the Lord Privy Seal, and the Expenses of his Establishment, to the Thirty-first

25,211*l.* for Office of Paymaster General;

Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-five thousand two hundred and eleven Pounds, to defray the Salaries and Expenses in the Department of Her Majesty's Paymaster General, to the Thirty-

7,314*l.* for Department of Comptroller General of Exchequer;

first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seven thousand three hundred and fourteen Pounds, to pay the Salaries and Expenses in the Department of the Comptroller General of the Exchequer, to the

21,595*l.* for Office of Commissioners of Works and Public Buildings;

Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-one thousand five hundred and ninety-five Pounds, to pay the Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings, to the Thirty-first Day of March One thousand eight

21,862*l.* for Office of Woods, Forests, &c.;

hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-one thousand eight hundred and sixty-two Pounds, to pay the Salaries and Expenses of the Office of Woods, Forests, and Land Revenues, to the Thirty-first Day of March One thousand eight

14,098*l.* for Public Records and State Paper Office;

hundred and fifty-six; and any Sum or Sums of Money not exceeding Fourteen thousand and ninety-eight Pounds, to pay the Salaries and Expenses of the Department of Public Records, including the State Paper Office, to the Thirty-first Day of March One thousand eight

205,383*l.* for Administration of Poor Laws;

hundred and fifty-six; and any Sum or Sums of Money not exceeding Two hundred and five thousand three hundred and eighty-three Pounds, to defray Expenses connected with the Administration of the Laws relating to the Poor, to the Thirty-first Day of March One thousand

38,222*l.* for the Mint;

eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Thirty-eight thousand two hundred and twenty-two Pounds, to defray the Charge of the Establishment of the Mint, including Expenses of the Coinage, to the Thirty-first Day of March One thou-

15,530*l.* for Salaries, &c. of Inspectors of Factories, &c.;

sand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifteen thousand five hundred and thirty Pounds, to pay the Salaries and Expenses of the Inspectors of Factories, Mines, &c., to

&c., to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five thousand one hundred and fifty-six Pounds, to pay the Salaries of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly paid from the Hereditary Revenue, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six thousand four hundred and thirty-one Pounds, to defray the Charge of Salaries for the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seventeen thousand and thirty-two Pounds, to pay the Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six thousand eight hundred and eighty-nine Pounds, to defray the Charge of the Department of the Paymaster of Civil Services in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-two thousand seven hundred and eighty-nine Pounds, to pay the Salaries and Expenses of the Board of Public Works in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Forty-six thousand four hundred and twenty-one Pounds, to pay the Salaries and Expenses in the Department of the Commissioners for auditing the Public Accounts, to the Thirty first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Sixteen thousand two hundred and seventy Pounds, to defray the Expense of the Copyhold, Inclosure, and Tithe Commission, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twelve thousand one hundred and ninety Pounds, to pay the Imprest Expenses under the Inclosure and Drainage Acts of the Copyhold, Inclosure, and Tithe Commission, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Forty-two thousand five hundred Pounds, to pay the Salaries and Expenses in the Department of the General Register Office, England and Wales, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand seven hundred and sixty-eight Pounds, to pay the Salaries and Expenses in the Department of the General Register Office, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five thousand seven hundred and fifteen Pounds, to pay the Salaries

5,156*l.* for Civil Charges, &c., Scotland;

6,431*l.* for Officers, &c. of Lord Lieutenant of Ireland;

17,032*l.* for Salaries of Chief Secretary, &c., Ireland;

6,889*l.* for Paymaster of Civil Services, Ireland;

22,789*l.* for Board of Public Works, Ireland;

46,421*l.* for Department of Commissioners for auditing Public Accounts;

16,270*l.* for Copyhold, &c. Commission;

12,190*l.* for Imprest Expenses of Copyhold, &c. Commission;

42,500*l.* for General Register Office, England and Wales;

3,768*l.* for General Register Office, Dublin;

5,715*l.* for Department of Registrar General of Births, &c., Edinburgh;

Salaries and Expenses in the Department of the Registrar General of Births, &c., Edinburgh, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fourteen thousand nine hundred and eighty-six Pounds, to pay the Salaries and Expenses in the National Debt Office, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand two hundred and sixty Pounds, to defray the Salaries and Expenses of the Establishment under the Public Works Loan Commissioners, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand five hundred and seventy Pounds, to defray the Expenses of the Establishment under the West India Islands Relief Commissioners, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Eight hundred and twenty Pounds, to pay the contingent Expenses of the Office of the Commissioners in Lunacy, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand Pounds, to pay the Salaries of the principal Officers of the Office of Metropolitan Buildings, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Nine hundred and eighty-four Pounds, to defray the Salary and Expenses of the General Superintendent of County Roads in South Wales, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand six hundred and ten Pounds, to pay the Salaries and Expenses in the Department of the Registrar of Friendly Societies in England, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Thirty-two thousand Pounds, to defray the Charge of Her Majesty's Foreign and other Secret Services, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three hundred sixty thousand four hundred and seventy Pounds, to defray the Expense of Stationery, Printing, and Binding for the several Public Departments, including the Expense of the Stationery Office, to the Thirty-first Day of March One thousand eight hundred and fifty-six.

14,986*l.* for National Debt Office;

3,260*l.* for Public Works Loan Commission;

1,570*l.* for West India Islands Relief Commission;

820*l.* for Lunacy Commission;

3,000*l.* for Office of Metropolitan Buildings;

984*l.* for General Superintendent of County Roads in South Wales;

1,610*l.* for Department of Friendly Societies in England;

32,000*l* for Foreign and Secret Services;

360,470*l.* for Stationery, &c for Public Departments.

Civil Services, Class 3.

There shall be issued 35,941*l.* for Office of Solicitor to the Treasury, including Prosecutions relating to Coin, &c.

Civil Services.—Class 3.

XXII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Thirty-five thousand nine hundred and forty-one Pounds, to defray Law Charges, and the Salaries, Allowances, and incidental Expenses in the Office of the Solicitor for the Affairs of Her Majesty's

jesty's Treasury, including Prosecutions relating to Coin, also the Salary and Allowance of Counsel for advising the Treasury on Matters relating to the Slave Trade, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two hundred and fifty thousand Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Expenses of Prosecutions at Assizes and Quarter Sessions, formerly paid out of County Rates; and any Sum or Sums of Money not exceeding One thousand one hundred Pounds, towards defraying the Expenses of the Crown Office, Chancery, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two thousand and fifty Pounds, towards defraying the Expenses of the Crown Office, Queen's Bench, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifteen thousand nine hundred Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Expenses incurred by Sheriffs, and the Deficiency of the Fees in the Office of the Queen's Remembrancer in the Exchequer; and any Sum or Sums of Money not exceeding Six thousand Pounds, to defray the Salaries and Expenses in the Department of the Registrar of the Admiralty, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Eight thousand four hundred and fifteen Pounds, to defray the Salaries and Expenses of the Commissioners of the Insolvent Debtors Court, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Thirteen thousand eight hundred and fifty Pounds, to defray the Salaries of the Treasurers of County Courts, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-three thousand two hundred and fifty-four Pounds, to defray the Expenses of the Police Courts of the Metropolis, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One hundred and one thousand two hundred and eighteen Pounds, towards defraying the Expenses of the Metropolitan Police, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Four thousand two hundred and twenty-six Pounds, to defray the Salaries and Expenses of the Queen's Prison, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand three hundred and forty-two Pounds, to defray the Charge for the Salaries of the Lord Advocate and of the Solicitor General, Scotland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or

250,000*l.* for Prosecutions at Assizes and Quarter Sessions;

1,100*l.* for Crown Office, Chancery;

2,050*l.* for Crown Office, Queen's Bench;

15,900*l.* for Expenses incurred by Sheriffs, and Deficiency of Fees in the Exchequer;

6,000*l.* for Department of Registrar of the Admiralty;

8,415*l.* for Insolvent Debtors Court;

13,850*l.* for Treasurers of County Courts;

23,254*l.* for Police Courts of the Metropolis

101,218*l.* for Metropolitan Police,

4,226*l.* for Queen's Prison;

3,342*l.* for Lord Advocate and Solicitor General, Scotland;

7,755*l.* for Criminal Prosecutions by Lord Advocate;

7,198*l.* for Court of Justiciary, Scotland;

1,593*l.* for certain Officers in the Exchequer in Scotland;

57,000*l.* for Criminal Prosecutions, &c. in Scotland

11,530*l.* for Procurators Fiscal in Scotland;

4,318*l.* for Sheriffs Clerks, Scotland;

2,250*l.* for Salaries of Law Officers in Scotland;

11,166*l.* for General Register House, Edinburgh;

1,119*l.* for Department of Commissary Clerk, Edinburgh;

51,720*l.* for Criminal Prosecutions, Ireland;

1,294*l.* for Court of Chancery, Ireland;

Sums of Money not exceeding Seven thousand seven hundred and fifty-five Pounds, to defray the Expenses of Criminal Prosecutions carried on under the Authority of the Lord Advocate, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seven thousand one hundred and ninety-eight Pounds, to defray the Salaries and Expenses of the Court of Justiciary in Scotland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand five hundred and ninety-three Pounds, to defray the Salaries and Expenses in the Legal Branch of the Office of Queen's and Lord Treasurer's Remembrancer in Exchequer in Scotland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifty-seven thousand Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Charge of Sheriffs and Stewards, including Procurators Fiscal not paid by Salaries, and the Expenses of Criminal Prosecutions in Sheriff Courts in Scotland; and any Sum or Sums of Money not exceeding Eleven thousand five hundred and thirty Pounds, to defray the Salaries of such of the Procurators Fiscal in Scotland as are no longer paid by Fees, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Four thousand three hundred and eighteen Pounds, to defray the Salaries of such of the Sheriffs Clerks, Scotland, as are not chargeable on the Revenues of Customs and Excise, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two thousand two hundred and fifty Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Salary of the Solicitor of the Crown, and Expenses in Matters of Tithes, and the Expenses of the Agent of the Great Officers of State in maintaining Rights of the Crown in Civil Actions, &c. in Scotland; and any Sum or Sums of Money not exceeding Eleven thousand one hundred and sixty-six Pounds, to defray the Salaries and Expenses of the several Offices in Her Majesty's General Register House, Edinburgh, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand one hundred and nineteen Pounds, to defray the Salaries and Expenses in the Department of the Commissary Clerk, Edinburgh, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifty-one thousand seven hundred and twenty Pounds, to defray the Expense of Criminal Prosecutions and other Law Charges in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand two hundred and ninety-four Pounds,

Pounds, to defray the Salaries of certain Officers of the Court of Chancery in Ireland, formerly charged on the Consolidated Fund, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand three hundred and thirty-eight Pounds, to defray the Salaries of certain Officers and the incidental Expenses of the Court of Queen's Bench in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand three hundred and eleven Pounds, to defray the Salaries of certain Officers and the incidental Expenses of the Court of Common Pleas in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand three hundred and twenty Pounds, to defray the Salaries of certain Officers and the incidental Expenses of the Court of Exchequer in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two hundred Pounds, to defray the Salary of the Clerk to the Taxing Officers for the Three Law Courts, Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five thousand two hundred and thirty-two Pounds, to defray the Salaries of the Registrars to the Judges in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand nine hundred and six Pounds, to defray certain Salaries in the Office for the Registration of Judgments in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three hundred Pounds, to defray the Fees to Advocates appointed to act as Commissioners of the High Court of Delegates in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand one hundred and forty-six Pounds, to defray the Salaries and Expenses of the Insolvent Debtors Court in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two hundred and sixty seven Pounds, to defray the Salary of the Clerk to the Court of Errors in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand six hundred Pounds, to defray the Salaries of the Police Justices of Dublin Metropolis, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Thirty-one thousand Pounds, towards defraying the Expense of the Metropolitan Police of Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums

1,338*l.* for Court of Queen's Bench, Ireland,

1,311*l.* for Court of Common Pleas, Ireland,

1,320*l.* for Court of Exchequer, Ireland,

200*l.* for Clerk to Taxing Officers for Law Courts, Ireland;

5,232*l.* for Registrars to Judges, Ireland;

1,906*l.* for Office for Registration of Judgments in Ireland;

300*l.* for Fees to Advocates, Court of Delegates, Ireland,

3,146*l.* for Salaries, &c. of Insolvent Debtors Court, Ireland;

267*l.* for Salary of Clerk to Court of Errors Ireland;

1,600*l.* for Salaries of Police Justices, Dublin;

31,000*l.* for Metropolitan Police, Dublin;

638,511*l.* for Constabulary Force, Ireland;

Sums of Money not exceeding Six hundred thirty-eight thousand five hundred and eleven Pounds, to defray the Expense of the Constabulary Force in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand nine hundred and forty-two Pounds, to defray the Expenses of the Four Courts, Marshalsea Prison, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seventeen thousand five hundred and twenty-six Pounds, to defray the Salaries and Expenses of the Court of Session in Scotland to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Eighteen thousand seven hundred and seventy Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Charge of Inspection and General Superintendence over all the Prisons of the United Kingdom; and any Sum or Sums of Money not exceeding Three hundred seventy-five thousand four hundred and seventy-nine Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Charge of the Government Prisons and Convict Establishments at home; and any Sum or Sums of Money not exceeding One hundred sixty-six thousand one hundred and seventy-four Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Expense of the Maintenance of Prisoners in County Gaols, Reformatory Institutions, and Lunatic Asylums, including Removal of Convicts; and any Sum or Sums of Money not exceeding Fifty-nine thousand four hundred and five Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Expenses connected with the Transportation of Convicts, &c.; and any Sum or Sums of Money not exceeding Two hundred ninety-seven thousand six hundred and twenty-one Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-six the Expense of the Convict Establishments in the Colonies.

1,942*l.* for Four Courts, Marshalsea, Dublin;

17,526*l.* for Salaries, Court of Session, Scotland;

18,770*l.* for General Superintendence of Prisons, &c.;

375,479*l.* for Government Prisons, and Convict Establishments at home;

166,174*l.* for Maintenance of Prisoners and Removal of Convicts;

59,405*l.* for Transportation of Convicts;

297,621*l.* for Convict Establishments in the Colonies.

CIVIL SERVICES. *Class* 4.

There shall be issued 396,921*l.* for Public Education in Great Britain;

215,200*l.* for Education, Ireland;

605*l.* for Salary of Secretary to Commissioners of Education, Ireland;

CIVIL SERVICES.—Class 4.

XXIII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Three hundred ninety-six thousand nine hundred and twenty-one Pounds, for Public Education in Great Britain, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two hundred fifteen thousand two hundred Pounds, for Public Education in Ireland under the Charge of the Commissioners of National Education in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six hundred and five Pounds, to pay the Salary of the Secretary and the Expenses of the Office of the

the Commissioners of Education in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seventy-nine thousand three hundred and sixty-four Pounds, to defray the Expenses of the Departments of Science and Art, of the Geological Surveys of Great Britain and Ireland, of the Meteorological Observations at Sea, and of the Royal Dublin Society, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand eight hundred and fifty-eight Pounds, towards defraying the Expenses of the University of London, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seven thousand nine hundred and fifty-two Pounds, to pay Grants to Scottish Universities formerly defrayed from the Hereditary Revenues of the Crown, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two thousand three hundred and sixty-six Pounds, to defray the Expenses of the Queen's University in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Nine thousand five hundred and fifty-two Pounds, to defray certain Expenses of the Queen's Colleges in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six hundred and forty-seven Pounds, towards defraying the Expense of the Royal Irish Academy, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three hundred Pounds, towards defraying the Expense of the Royal Hibernian Academy, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two thousand six hundred Pounds, to pay the Salaries of the Theological Professors and the incidental Expenses of the General Assembly's College at Belfast, and Retired Allowances to Professors of the Belfast Academical Institution, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifty-six thousand one hundred and eighty Pounds, to defray the Salaries and Expenses of the British Museum Establishment, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Four thousand Pounds, to enable the Trustees of the British Museum to defray Expenses incurred for the Purchase of Objects of Art from the Bernal Collection; and any Sum or Sums of Money not exceeding Twenty-seven thousand five hundred and twenty Pounds, to defray the Expense of new Buildings and Fittings at the British Museum, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five hundred

79,364*l.* for Department of Practical Art, Royal Dublin Society, &c.

3,858*l.* for London University;

7,952*l.* for Grants to Scottish Universities,

2,366*l.* for Queen's University, Ireland,

9,552*l.* for Expenses, Queen's Colleges, Ireland;

647*l.* for Royal Irish Academy;

300*l.* for Royal Hibernian Academy,

2,600*l.* for Royal Belfast Academical Institution, &c.

56,180*l.* for Salaries and Expenses of British Museum;

4,000*l.* for Purchases from Bernal Collection;

27,520*l.* for new Buildings, &c. at British Museum;

500*l.* for Royal Geographical Society.

dred Pounds, to enable the Royal Geographical Society to provide suitable Rooms in which to hold the Meetings of the Society, and to exhibit their Maps to the Public, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six thousand four hundred and nine Pounds, to defray the Expense of Magnetic Observations abroad, including the Superintendent's Establishment at Woolwich, also for Observations and Services under the Direction of the Astronomer Royal, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seventeen thousand six hundred and ninety-six Pounds, to defray the Expenses of the National Gallery, including the Purchase of Pictures, to the Thirty-first Day of March One thousand eight hundred and fifty-six.

6,409*l.* for Magnetic Observatories, &c.;

17,696*l.* for National Gallery.

Civil Services. *Class 5.*

There shall be issued 4,050*l.* for Civil Establishment of the Bermudas;

7,397*l.* for Ecclesiastical Establishment, British N.A. Provinces;

7,010*l.* for Indian Department in Canada;

24,728*l.* for Salaries of Governors, &c. of West India Colonies, &c.

24,750*l.* for Salaries, &c of Stipendiary Justices in W.I. Colonies and the Mauritius;

10,630*l.* for Civil Establishments on the Western Coast of Africa;

11,057*l* for St. Helena;

976*l.* for Heligoland;

Civil Services.—Class 5.

XXIV. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Four thousand and fifty Pounds, towards defraying the Charge of the Civil Establishment of the Bermudas, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seven thousand three hundred and ninety-seven Pounds, to defray the Charge of the Ecclesiastical Establishment of the British North American Provinces, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seven thousand and ten Pounds, to defray the Charge of the Indian Department in Canada, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-four thousand seven hundred and twenty-eight Pounds, to defray the Charge of the Salaries of the Governors, Lieutenant-Governors, and others in the West Indies, and certain other Colonies, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-four thousand seven hundred and fifty Pounds, to defray the Salaries, Allowances, and Contingencies of the Stipendiary Justices in the West India Colonies and the Mauritius, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Ten thousand six hundred and thirty Pounds, towards defraying the Charge of the Civil Establishments on the Western Coast of Africa, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Eleven thousand and fifty-seven Pounds, to defray Charges connected with the Island of Saint Helena, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum

Sum or Sums of Money not exceeding Nine hundred and seventy-six Pounds, towards defraying the Charge of Heligoland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two thousand eight hundred and seven Pounds, towards defraying the Charge of the Falkland Islands, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand eight hundred Pounds, towards defraying the Charge of Hong Kong, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Sixteen thousand seven hundred and twenty Pounds, to defray the Charge of the Colonial Land and Emigration Board, and of the Emigration Officers at the different Ports of this Kingdom, also to defray certain Expenses in the Colonies connected with Emigration, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Ten thousand five hundred Pounds, to pay the Balance due to the Province of Canada in respect to the Relief of Sick and Destitute Emigrants from the United Kingdom in the Year One thousand eight hundred and forty-seven; and any Sum or Sums of Money not exceeding Ten thousand Pounds, to defray, to the Thirty-first Day of March One thousand eight hundred and fifty-six, Expenses incurred for the Support of captured Negroes and liberated Africans, and other Charges under the Acts for the Abolition of the Slave Trade; and any Sum or Sums of Money not exceeding Eleven thousand two hundred and fifty Pounds, to pay, to the Thirty-first Day of March One thousand eight hundred and fifty-six, the Salaries and Expenses of the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves; and any Sum or Sums of Money not exceeding One hundred fifty-seven thousand six hundred and sixty-nine Pounds, to defray the Expense of the Consular Establishments abroad, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-five thousand Pounds, for the Extraordinary Disbursements of Her Majesty's Embassies and Missions abroad, to the Thirty-first Day of March One thousand eight hundred and fifty-six.

2,807*l.* for Falkland Islands;

3,800*l.* for British Settlement at Hong Kong;

16,720*l.* for Colonial Land and Emigration Board, &c.;

10,500*l.* for Relief of Emigrants to Canada in 1847;

10,000*l* for Support of captured Negroes, &c.

11,250*l.* for Commissions for suppressing the Slave Trade;

157,669*l.* for the Consular Establishments abroad;

25,000*l.* for Missions abroad

CIVIL SERVICES.—Class 6.

CIVIL SERVICES. *Class* 6.

XXV. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred thirty-eight thousand six hundred and nine Pounds, to defray the Charge of Superannuation Allowances and Compensations to Persons formerly employed in the Public Service, to the Thirty-first Day of March One thousand eight hundred and fifty-

There shall be issued 138,609*l.* for Superannuations, &c. to Public Officers;

2,270*l.* for Toulonese and Corsican Emigrants, &c.;

fifty-six; and any Sum or Sums of Money not exceeding Two thousand two hundred and seventy Pounds, to enable Her Majesty to grant Relief, to the Thirty-first Day of March One thousand eight hundred and fifty-six, to Toulonese and Corsican Emigrants, St. Domingo Sufferers, American Loyalists, and others who have heretofore

2,000*l.* for National Vaccine Institution;

received Allowances from Her Majesty; and any Sum or Sums of Money not exceeding Two thousand Pounds, to defray the Expense of the National Vaccine Establishment, in the Year One thousand

325*l.* for Refuge for Destitute;

eight hundred and fifty-five; and any Sum or Sums of Money not exceeding Three hundred and twenty-five Pounds towards the Support of "The Refuge for the Destitute," in the Year One thousand eight

4,200*l.* for Polish Refugees, &c.;

hundred and fifty-five; and any Sum or Sums of Money not exceeding Four thousand two hundred Pounds, for Payment of the Subsistence of the Polish Refugees, and Allowances to distressed Spaniards, to the Thirty-first Day of March One thousand eight hundred and

4,371*l.* to pay Miscellaneous Allowances;

fifty-six; and any Sum or Sums of Money not exceeding Four thousand three hundred and seventy-one Pounds, to pay, to the Thirty-first Day of March One thousand eight hundred and fifty-six, Miscellaneous Allowances formerly defrayed from the Civil List, the Hereditary Revenues, &c., and for which no permanent Provision has

2,985*l.* for Treasurers of Public Infirmaries, Ireland;

been made by Parliament; and any Sum or Sums of Money not exceeding Two thousand nine hundred and eighty-five Pounds, to pay, to the Thirty-first Day of March One thousand eight hundred and fifty-six, to the Treasurers of Public Infirmaries in Ireland, the Allow-

1,295*l.* for Foundling Hospital Department, House of Industry, Dublin;

ances granted under certain Acts of Parliament; and any Sum or Sums of Money not exceeding One thousand two hundred and ninety-five Pounds, to defray the Expense of the Foundling Hospital Department of the House of Industry, Dublin, to the Thirty-first Day of

11,790*l.* for House of Industry, Dublin;

March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Eleven thousand seven hundred and ninety Pounds, towards defraying the Expense of the House of Industry, Dublin, to the Thirty-first Day of March One thousand

500*l.* for Female Orphan House, Dublin;

eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five hundred Pounds, towards defraying the Expense of the Female Orphan House, Dublin, to the Thirty-first Day of March

1,215*l.* for Westmoreland Lock Hospital, Dublin;

One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand two hundred and fifteen Pounds, to defray the Expense of the Westmoreland Lock Hospital, Dublin, to the Thirty-first Day of March One thousand eight hundred and

500*l.* for Lying-in Hospital, Dublin;

fifty-six; and any Sum or Sums of Money not exceeding Five hundred Pounds, towards defraying the Expense of the Lying-in Hospital, Dublin, to the Thirty-first Day of March One thousand eight hun-

795*l.* for Dr. Steevens' Hospital, Dublin;

dred and fifty-six; and any Sum or Sums of Money not exceeding Seven hundred and ninety-five Pounds, towards defraying the Expense of Doctor Steevens' Hospital, Dublin, to the Thirty-first Day of March

March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand nine hundred Pounds, towards defraying the Expense of the House of Recovery and Fever Hospital, Cork Street, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two hundred and fifty Pounds, towards defraying the Expense of the Hospital for Incurables, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Thirty-eight thousand nine hundred and fifty-three Pounds, to defray the Expense of Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Six thousand three hundred and eighty-four Pounds, to pay, to the Thirty-first Day of March One thousand eight hundred and fifty-six, Charitable Allowances charged on the Concordatum Fund in Ireland, and other Allowances and Bounties formerly defrayed from Grants for the Lord Lieutenant's Household, Civil Contingencies, &c.

1,900*l.* for House of Recovery, &c., Dublin;

250*l.* for Hospital for Incurables, Dublin;

38,953*l.* for Protestant Dissenting Ministers, Ireland;

6,384*l.* for Charitable Allowances, &c., Ireland.

CIVIL SERVICES.—Class 7.

CIVIL SERVICES, *Class* 7.

XXVI. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Ten thousand nine hundred and forty-five Pounds, to defray the Expense of the General Board of Health, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand four hundred and ninety-eight Pounds, to defray a Portion of the Expenses of the Ecclesiastical Commissioners for England, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twelve thousand three hundred and ninety Pounds, to defray the Charge of the Salaries and Expenses of the Charity Commission for England and Wales, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand and fifty-three Pounds, to defray the Charge of the Salaries of certain Professors in the University of Cambridge, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-two thousand five hundred and seventy-two Pounds, to defray the Fees, Salaries, and Compensations payable under the Provisions of the Patent Law Amendment Act, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Fifteen thousand four hundred and eighty Pounds, to defray the Charge of the Salaries and Expenses of the Incumbered Estates Commission, Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Nine hundred Pounds, to

There shall be issued 10,945*l.* for General Board of Health;

3,498*l.* for Ecclesiastical Commissioners, England;

12,390*l.* for Charity Commission for England and Wales;

1,053*l.* for certain Professors at Cambridge;

22,572*l.* for Compensations, &c. payable under the Patent Law Amendment Act;

15,480*l.* for Incumbered Estates Commission, Ireland;

900*l.* for Commission for

Publication of Ancient Laws of Ireland,

9,000*l.* for Pay of Process Servers, Ireland;

2,270*l.* for Office for Registration of Joint Stock Companies;

69,115*l.* for Pensions to Masters and Seamen, &c. under the Merchant Seamen's Fund Act,

25,500*l.* for Battersea Park,

25,000*l.* for Embankment, &c. between Battersea and Vauxhall Bridges, &c.,

10,700*l.* for Lighthouses abroad;

1,811*l.* for Pay, &c. of Medical Men in West Indies;

10,300*l.* for Collection of Agricultural Statistics;

2,000*l.* for Annuity to Board of Manufactures, Scotland;

14,000*l.* for Board of Fisheries, Scotland;

to defray the Expense of the Commission appointed to superintend the Publication of the Ancient Laws and Institutes of Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Nine thousand Pounds, to defray the Expense of the Pay of the Process Servers in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two thousand two hundred and seventy Pounds, to defray the Salaries and Expenses of the Office for the Registration of Joint Stock Companies at the Board of Trade, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Sixty-nine thousand one hundred and fifteen Pounds, to defray the Charge for Pensions to Masters and Seamen of the Merchant Service, and to their Widows and Children, under the Merchant Seamen's Fund Act, and for Compensation to the late Officers of the Trustees of the Merchant Seamen's Fund, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-five thousand five hundred Pounds, towards defraying the Expense of forming a Park at Battersea, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twenty-five thousand Pounds, towards defraying, to the Thirty-first Day of March One thousand eight hundred and fifty-six, the Expense of constructing an Embankment and Public Roadway between Battersea and Vauxhall Bridges, and an Approach from Sloane Street to Chelsea Bridge; and any Sum or Sums of Money not exceeding Ten thousand seven hundred Pounds, to defray, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, the Expense of erecting and maintaining certain Lighthouses abroad; and any Sum or Sums of Money not exceeding One thousand eight hundred and eleven Pounds, to defray the Charge, to the Thirty-first Day of March One thousand eight hundred and fifty-six, of the Pay and Expenses of the Medical Men employed in the West Indies, for the Purpose of checking the Ravages of Cholera, and for the Relief of Distress occasioned by the Disease; and any Sum or Sums of Money not exceeding Ten thousand three hundred Pounds, to defray the Costs of collecting Agricultural Statistics in the United Kingdom, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Two thousand Pounds, to defray, to the Thirty-first Day of March One thousand eight hundred and fifty-six, the Charge on account of the Annuity to the Board of Manufactures in Scotland, in discharge of Equivalents under the Treaty of Union; and any Sum or Sums of Money not exceeding Fourteen thousand Pounds, to pay the Salaries and Expenses of the Board of Fisheries in Scotland, to the Thirty-first Day of March One thousand eight hundred and

and fifty-six; and any Sum or Sums of Money not exceeding Five thousand Pounds, to defray the Expenses of the Commissioners of Highland Roads and Bridges, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Twelve thousand Pounds, to pay the Bounties on Slaves and the Tonnage Bounties on Slave Vessels captured, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Sixty-eight thousand five hundred Pounds, to defray the Charge for Payments on account of the Difference of Dues payable by British or Foreign Vessels under Treaties of Reciprocity, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Seventeen thousand eight hundred and fifty Pounds, to defray the Charge of the Remuneration to Revising Barristers in England and Wales, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand eight hundred Pounds, to pay the Salaries of Inspectors of Corn Returns, and the Expenses defrayed by Counties for Corn Returns, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three thousand six hundred Pounds, to defray Expenses connected with the Quarantine Arrangements, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five thousand seven hundred and fifty-two Pounds, towards defraying the Expense of erecting and furnishing new Consular Offices, a British Seamen's Hospital, and a Prison at Constantinople, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Four thousand five hundred and seventy-eight Pounds, towards defraying the Expense of Works, Furniture, Fittings, &c. for the British Ambassador's Residences at Constantinople and Therapia, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One thousand five hundred and fifty Pounds, to defray the Cost of erecting Buildings for the Accommodation of the Courts of Law, Record, and Police Departments at Douglas in the Isle of Man, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Nine thousand Pounds, towards defraying, to the Thirty-first Day of March One thousand eight hundred and fifty-six, the Expense of providing and fixing Wire Doors, Ends, and Divisions to the Presses for the better Security of the Records and Documents in the General Repository for Public Records; and any Sum or Sums of Money not exceeding Forty thousand Pounds, for the Purchase of a Site and for the Erection of a new Office for the Department of the Secretary of State for Foreign Affairs, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and

5,000*l.* for Commissioners of Highland Roads and Bridges;

12,000*l.* for Bounties on Slaves and Slave Vessels captured;

68,500*l.* for Payments under Treaties of Reciprocity;

17,850*l.* for Revising Barristers in England and Wales;

3,800*l.* for Inspectors of Corn Returns, &c.;

3,600*l.* for Expenses of Quarantine Arrangements;

5,752*l.* for Consular Offices, Seamen's Hospital, &c. at Constantinople;

4,578*l.* for British Ambassador's Houses at Constantinople, &c.;

1,550*l.* for Courts of Law, &c. at Douglas Isle of Man;

9,000*l.* for Preservation of Public Records;

40,000*l.* for Erection of a new Foreign Office;

9,000*l.* for Completion of Irish Census;

52,500*l.* for Mint for Medal Services;

68,131*l.* for Amounts awarded to American Claimants under Convention of 3d Feb. 1853;

54,218*l.* to Thomas Porter;

17,000*l.* for distressed Seamen abroad;

3,000*l.* for Gallery of Arts in Dublin;

9,927*l.* for Expenses relating to Burials in and beyond the Metropolis;

5,000*l.* for Galleries of Art in Edinburgh;

40,000*l.* for Public Works, Education, &c., in South Africa;

5,800*l.* for Expense of Continuation of Pall Mall to the Green Park;

3,000*l.* for Bridge at Inverness:

and any Sum or Sums of Money not exceeding Nine thousand Pounds, to complete, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, the Expenses of the Irish Census, One thousand eight hundred and fifty-one; and any Sum or Sums of Money not exceeding Fifty-two thousand five hundred Pounds, to defray the Expenditure of the Mint for the various Medal Services, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Sixty-eight thousand one hundred and thirty-one Pounds, to pay, in the Year ending the Thirty first Day of March One thousand eight hundred and fifty-six, to the United States Government, the Amounts awarded to American Claimants by the Mixed Commission, under the Convention of the Third of February One thousand eight hundred and fifty-three; and any Sum or Sums of Money not exceeding Fifty-four thousand two hundred and eighteen Pounds, to enable Her Majesty to repay, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, to Thomas Porter, as next of Kin, the Amount carried to the Credit of the Consolidated Fund as the escheated Property of the late Reverend William Townley; and any Sum or Sums of Money not exceeding Seventeen thousand Pounds, to defray, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, the Charges on account of distressed British Seamen abroad; and any Sum or Sums of Money not exceeding Three thousand Pounds, towards the Erection of a Gallery of Arts in Dublin, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Nine thousand nine hundred and twenty-seven Pounds, to defray Expenses incurred in carrying out the Provisions of the Acts relating to Burials in and beyond the Metropolis, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five thousand Pounds, towards the Completion of the Galleries of Art, Edinburgh, in the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Forty thousand Pounds, to defray the Cost of executing Public Works, maintaining Educational and Benevolent Institutions, and promoting Civilization amongst the Native Tribes in South Africa, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Five thousand eight hundred Pounds, to defray, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, the Cost of purchasing from the Trustees of the Bridgewater Estates a Piece of Ground, now occupied by Stables, necessary for the Continuation of Pall Mall to the Green Park; and any Sum or Sums of Money not exceeding Three thousand Pounds, towards defraying, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, the Cost of the

the Completion of the Bridge over the River Ness at Inverness; and any Sum or Sums of Money not exceeding Eleven thousand Pounds, for the Purchase, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, of the remaining Term of the Crown Lease of Buckingham House, Pall Mall, required to provide additional Accommodation for the Department of War; and any Sum or Sums of Money not exceeding Three thousand seven hundred and eighteen Pounds, to pay, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, the Balance due to the Contractor for the Erection of the Victoria and Albert Bridges at Windsor, including the Engineer's Commission; and any Sum or Sums of Money not exceeding Ten thousand Pounds, to pay, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, the Rewards to the Discoverers of a North-west Passage, in accordance with the Recommendation of a Select Committee of the House of Commons; and any Sum or Sums of Money not exceeding Eight hundred Pounds, to pay, in the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six, for the Erection of a Monument to the Memory of Captain Sir John Franklin of the Royal Navy, and the Officers and Men who have lost their Lives in the Arctic Expedition; and any Sum or Sums of Money not exceeding Three thousand seven hundred and eleven Pounds, to defray the Charge of the Salaries and Expenses of the Statute Law Commission, to the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Three hundred Pounds, for the Payment, in the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six, of the Compensation Allowance awarded to Doctor Southwood Smith for the Loss of his Appointment as a Member of the late General Board of Health; and any Sum or Sums of Money not exceeding Fifteen thousand Pounds, for the Purpose of erecting, in the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-six, a Building of corrugated Iron as a Museum on the Land at Kensington Gore acquired by the Commissioners for the Exhibition of One thousand eight hundred and fifty-one.

11,000*l.* for Purchase of Buckingham House;

3,718*l.* for Contractor, &c of Victoria and Albert Bridges at Windsor;

10,000*l.* for Discoverers of North-west Passage;

800*l.* for Monument to Sir John Franklin, &c.;

3,711*l.* for Statute Law Commission.

300*l.* as Compensation to Dr. Southwood Smith;

15,000*l.* for Museum at Kensington Gore.

REVENUE DEPARTMENTS.

XXVII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One million six hundred thirty-eight thousand eight hundred and sixty-one Pounds, to defray the Charges for Post Office Services and the Collection of the Revenue, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Eight hundred thirty-five thousand one hundred

There shall be issued 1,638,861*l.* for Post Office, &c.;

835,182*l.* for Customs Department;

hundred and eighty-two Pounds, to defray the Salaries and Expenses of the Customs Department, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Four hundred eighty-three thousand two hundred and thirty-eight Pounds, to defray the Salaries and Expenses of the Coast Guard, including Revenue Cruisers, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding One million three hundred sixty-five thousand nine hundred and fifty Pounds, to defray the Salaries and Expenses of the Inland Revenue Department, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six; and any Sum or Sums of Money not exceeding Sixty-two thousand seven hundred and twenty Pounds, to defray the Salaries and Expenses of the Revenue Police, Ireland, and "Seamew" Steamer, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-six.

483,238*l.* for the Coast Guard, &c.;

1,365,950*l.* for Inland Revenue Department;

62,720*l.* for Revenue Police, Ireland, and "Seamew" Steamer.

Supplies to be applied only for the Purposes aforesaid.

XXVIII. The said Aids and Supplies provided as aforesaid shall not be issued or applied to any Use, Intent, or Purpose whatsoever, other than the Uses, Intents, and Purposes before mentioned, or for the other Payments, Appropriation, or Application directed to be made or satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this Session of Parliament.

Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted.

XXIX. The respective Departments charged with the detailed Application of the Sums granted by this Act for Navy, Army, and Ordnance Services shall confine the Expenditure of their respective Departments within the particular Amounts appropriated to each of the separate Services comprised in the Sum of Nineteen million three hundred seventy-nine thousand and thirteen Pounds for Naval Services, in the Sum of Eighteen million seven hundred eighty-nine thousand five hundred and thirty-two Pounds for Army Services, and in the Sum of Eight million six hundred forty-four thousand one hundred and forty-two Pounds for Ordnance Services: Provided always, that if the Exigencies of the Public Service shall render it indispensably necessary to alter the Proportions assigned to any of the separate Services comprised in the aggregate Sum granted by this Act for Naval Services, for Army Services, or for Ordnance Services, the Department in which such Necessity shall have arisen shall represent the Circumstances which may have led to it in Writing to the Commissioners of Her Majesty's Treasury; and it shall be lawful for such Department, on Her Majesty's Pleasure to that Effect being

Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

being signified by the Commissioners of Her Majesty's Treasury, to apply in aid of the deficient Grant a further limited Sum out of any Surplus or Surpluses under other Heads of Service in the same Department: Provided always, that the aggregate Sum of Nineteen million three hundred seventy-nine thousand and thirteen Pounds granted by this Act for Naval Services, of Eighteen million seven hundred eighty-nine thousand five hundred and thirty-two Pounds for Army Services, or of Eight million six hundred forty-four thousand one hundred and forty-two Pounds for Ordnance Services, shall not be exceeded.

Rules to be observed in the Application of the Sum appropriated to Half Pay.

XXX. And as to the Sum of Three hundred and eighteen thousand Pounds by this Act appropriated on account of Half Pay as aforesaid, it is hereby enacted and declared, That the Rules hereafter prescribed shall be duly observed in the Application of the said Half Pay; (that is to say,) that no Person shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf by Her Majesty's Warrants directing the Issue of the Half Pay to be received; that no Person shall have or receive any Part of the same who was under the Age of Sixteen Years at the Time when the Regiment, Troop, or Company in which he served was reduced; that no Person shall have or receive any Part of the same who did not do actual Service in some Regiment, Battalion, Troop, or Company in Her Majesty's Service, except in Cases in which the Commission was received under Circumstances which did not, according to the Regulations of the Army, require the Officer to serve; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Person as would have been otherwise entitled thereto as a reduced Officer; that no Person shall have or receive any Part of the same for any Time during which he shall hold any other Military Place or Employment of Profit under Her Majesty, or in Her Majesty's Colonies or Possessions beyond the Seas, except on the Staff or in Garrison, and that in such excepted Cases, or in Cases of his holding any Military Place or Employment of Profit under another Government, no Officer shall receive any Part of his Half Pay unless with Her Majesty's Approbation, to be signified by the Secretary-at-War to the Paymaster General, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the other Military Place or Employment of Profit on the Staff or in Garrison which he may hold or have held under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government; that no Person who shall, on or before the Twenty-eighth Day of July One thousand eight hundred and twenty-

twenty-eight, have held any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, except in Cases in which the same shall not exceed Three Times the Amount of the highest Rate of Half Pay attached to the Rank in virtue of which he claims to receive Half Pay, or as herein-after mentioned, nor in any such excepted Cases unless Her Majesty's special Approbation be signified as aforesaid, and the Officer claiming the Half Pay in pursuance of such Approbation shall signify in his Declaration the Civil Place or Employment of Profit which he may hold or have held as aforesaid; but if the net annual Emoluments of such Civil Place or Employment shall exceed Three Times the Amount of Half Pay as aforesaid, and shall fall short of Four Times that Amount, then it shall be lawful for the Paymaster General, with Her Majesty's Approbation, signified by the Secretary-at-War as aforesaid, to issue, on or before the Twenty-fourth Day of December One thousand eight hundred and fifty-five, so much of the Half Pay claimed by any such Officer as shall, together with the net annual Emoluments of the Civil Place or Employment, be equal to Four Times the Amount of such Half Pay, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the Civil Place or Employment of Profit which he may have held as aforesaid, and the actual Amount of the Emoluments thereof, in such Manner and Form, and calculated up to such Period or Periods, as shall be required by the Secretary-at-War; but no Person who, after the Twenty-eighth Day of June One thousand eight hundred and twenty-eight, has been appointed to any Civil Place or Employment of Profit (except in Her Majesty's Household) under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit (except as aforesaid) under Her Majesty beyond the Seas, or under any other Government, other than that of a Barrack Master under the Secretary of State for War, who shall, under the Restrictions before mentioned, be entitled to receive his Half Pay: Provided always, that nothing in this Act contained shall prevent any Person from receiving his Half Pay who shall be entitled to the same under any Act or Acts relating to the General or Local Militia, or to the Yeomanry or Volunteers, but that every such Person shall receive the same according to the Provisions of any such Act or Acts; and also every Surgeon, Serjeant Major, Serjeant, Corporal, and Private serving in the General or Local Militia, or in any Corps of Yeomanry or Volunteers, in Great Britain or Ireland may

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

may and shall receive any Half Pay, together with any Pay in the General or Local Militia or Yeomanry or Volunteers, upon making and subscribing a Declaration in any Case in which an Oath or Declaration shall be required in and by any Act or Acts, or specified in any Warrant of Her Majesty, as the Case may be, and stating in such Declaration the Commission or Employment which he held in the General or Local Militia, the Yeomanry or Volunteers: Provided always, that from and after the First Day of January One thousand eight hundred and fifty-six it shall be lawful for the Paymaster General to issue the Half Pay or any Portion thereof to any Officer appointed to Civil Place or Employment of Profit under Her Majesty or under any other Government, since the Twenty-eighth Day of July One thousand eight hundred and twenty-eight, if Her Majesty's Pleasure to that Effect be signified by the Commissioners of Her Majesty's Treasury, through the Secretary-at-War, but such Permission to be granted under the Restrictions before mentioned: Provided always, that an Account shall be laid before Parliament in every Year on or before the First Day of April, if Parliament shall be then sitting, or, if Parliament shall not then be sitting, on the First Day of the sitting of Parliament after the First Day of April, of the Number of Officers who are allowed to receive their Half Pay with Civil Emoluments, specifying the Names of such Officers, with the respective Amounts of their Half Pay, and the Emoluments of their respective Civil Employments, and distinguishing in every such Account the Officers to whom such Half Pay shall have been allowed subsequent to preceding Accounts.

Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.

An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XXXI. It shall be lawful for the Commissioners of Her Majesty's Treasury to authorize the receiving Half Pay by Military Officers with Civil Employments in any Cases in which the said Commissioners shall be of opinion that the Employment of such Military Officers in the Colonies or elsewhere in Civil Situations of Responsibility with small Emoluments will be conducive to Economy, and thereby beneficial to the Public Service, and in every such Case the Officer authorized to receive Half Pay with the Salary or Emolument of any Civil Employment shall signify the same in his Declaration, specifying the Office and the Authority under which he is so allowed to receive his Half Pay.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXXII. And whereas a considerable Part of the Money appropriated on account of Half Pay by an Act passed in the Seventeenth and Eighteenth Years of Her present Majesty, intituled "An Act to "apply a Sum out of the Consolidated Fund and certain other "Sums to the Service of the Year One thousand eight hundred and "fifty-four, and to appropriate the Supplies granted in this Session of "Parliament," has been issued without requiring by Persons issuing

Persons concerned in issuing, paying, and receiving Money for Payment of Half Pay, without the requisite Oaths, indemnified. 17 & 18 Vict. c. 121.

or

or paying, and without the taking by the Persons receiving, Half Pay, the Oaths or Declarations prescribed to be taken by Officers claiming Half Pay, and Part of the said Monies has been paid to Officers claiming or entitled to Half Pay, who at the same Time held and may still hold the Situations of and serve respectively as Surgeons, Serjeant Majors, Serjeants, Corporals, or Privates in the General or Local Militia, or Yeomanry or Volunteer Corps, in Great Britain or Ireland, and it is expedient that all such Persons should be indemnified: Be it therefore enacted, That all Persons concerned in the advising, authorizing, or directing the issuing or in the issuing of any Half Pay, or any Monies for Half Pay, or in the Application of any Money appropriated by the said Act for that Purpose, or in receiving or being concerned in receiving any Portion of the Money so appropriated for such Half Pay, without requiring or taking the said Oaths or Declarations, or to or on account of any such Officers or Persons as aforesaid, shall be and are hereby fully exonerated and discharged from all Penalties, Forfeitures, Prosecutions, or Proceedings in respect of anything done in relation thereto, in all Cases in which such Half Pay, or Payment for or in respect of such Half Pay, shall have been or may hereafter be issued or received in conformity with the Provisions of the said recited Act or this Act, and the Uses heretofore established or observed in relation to the issuing, paying, and receiving of Half Pay in all other respects, except so far as relates to the demanding, requiring, or taking the said Oaths or Declarations, and all such Payments and Issues of Half Pay which shall have been or may be issued to any such Person as aforesaid shall be deemed valid and effectual Payments, and the Paymaster General, and all other Persons concerned in the issuing and paying the same, shall be and are hereby fully indemnified, and shall be and are hereby fully discharged and exonerated, in respect thereof in all Accounts relating to such Issues and Payments, anything in any Act or Acts, or any Laws, Rules, or Regulations, to the contrary notwithstanding.

Half Pay allowed to Officers of the Manx Fencibles.

XXXIII. And whereas the Royal Regiment of Manx Fencibles engaged to serve in the said Corps upon a Stipulation contained in the Letter of Service under which they were raised that they should be allowed to receive any Half Pay to which they might be entitled, notwithstanding their holding Subaltern Commissions in the said Corps, but no Provision has been made by Parliament for Payment of such Half Pay, and it is therefore expedient that Provision should be now made for the Arrears of Half Pay to such Officers as aforesaid: Be it therefore enacted, That Officers who were entitled to Half Pay, and who accepted or held Subaltern Commissions in the Royal Regiment of Manx Fencibles, shall, notwithstanding their having held the Full Pay of

of such Commissions, be entitled to receive the Arrears of such Half Pay for any Year or Time in which they shall not have been allowed to receive the same, upon making and subscribing a Declaration before any Person hereby authorized to administer a Declaration to Persons for the Purpose of receiving Half Pay, that they had not in any Year or Time for which such Arrear is claimed any Office or Employment of Profit, Civil or Military, under Her Majesty, besides their Allowance of Half Pay, save and except their Pay as such Subaltern Officers of the Royal Regiment of Manx Fencibles, and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Officer to receive his Half Pay.

Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXXIV. And whereas Chaplains of Regiments who have been placed upon Half Pay have not been allowed to receive such Half Pay in some Years in consequence of being in possession at the Time of certain Ecclesiastical Benefices or Preferments, though the same were not in the Patronage of the Crown: And whereas it has been judged fair and reasonable that they should be allowed to receive such Half Pay, though in possession of Ecclesiastical Preferment, provided the same was private Patronage, and not derived from the Crown, and that they should be entitled to receive the Arrears of Half Pay for such former Years as aforesaid: Be it therefore enacted, That all Chaplains who, after having been placed upon Half Pay, shall have been refused or been unable to receive such Half Pay in any Year in consequence of holding any Ecclesiastical Benefice not derived from or in the Gift of the Crown, shall be entitled to receive the Arrears of such Half Pay for such Year, upon making and subscribing a Declaration before the proper Officer for administering Declarations to Persons for entitling them to receive Half Pay that they held no Ecclesiastical Benefice or Preferment in any Year derived from the Crown, nor any Place or Employment of Profit under Her Majesty, and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Chaplain to receive his Half Pay.

Surplus of Sum by 17 & 18 Vict. c. 121. appropriated to Half Pay Officers to be disposed of as Her Majesty shall direct

XXXV. And whereas by the said recited Act passed in the Seventeenth and Eighteenth Years of Her present Majesty the several Supplies which had been granted to Her Majesty as therein mentioned were appropriated to the several Uses and Purposes therein expressed, amongst which any Sum or Sums of Money, not exceeding Three hundred and fifty-six thousand Pounds in the whole, was appropriated to be paid on account of Half Pay for the Year One thousand eight hundred and fifty-four, subject nevertheless to such Rules to be observed in the Application of the said Half Pay as in and by the aforesaid

aforesaid Act were prescribed in that Behalf: Now it is hereby provided, enacted, and declared, That so much of the Sum of Three hundred and fifty-six thousand Pounds as is or shall be more than sufficient to satisfy the said reduced Officers according to the Rules to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or have lost their Limbs in the late or present War, or such others as by reason of their long Service or otherwise Her Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants under Her Majesty's Royal Sign Manual as shall be signed in that Behalf, anything in this Act or the said Act to the contrary notwithstanding.

Widows, &c. claiming Pensions to make required Declaration.

XXXVI. And as to the Sum of One hundred twenty-four thousand four hundred and fifty-four Pounds by this Act appropriated for defraying the Charge of Pensions to be paid to the Widows of Officers of Her Majesty's Land Forces as aforesaid, and as to the Sum of Eighty-one thousand Pounds by this Act appropriated for defraying the Charge of Allowances on the Compassionate List, of Allowances as of Her Majesty's Royal Bounty, and of Pensions to Officers for Wounds as aforesaid, it is hereby enacted and declared, That no Widow of an Officer of the Land Forces, and no Person claiming an Allowance on the Compassionate List, or of Allowances as of Her Majesty's Royal Bounty, shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf by Her Majesty's Warrant directing the Issue of such Pensions and Allowances so to be received.

Declarations to be made as specified in 5 & 6 W. 4. c. 62.

XXXVII. Any such Declaration shall and may be made and subscribed before any One or more of Her Majesty's Justices of the Peace, Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before any of the Persons appointed to examine Vouchers in the Office of the Paymaster General, in the Manner, and under the Pains, Penalties, and Forfeitures, specified in an Act passed in the Fifth and Sixth Years of His late Majesty for the Abolition of unnecessary Oaths.

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ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

***

4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

of Money not exceeding in the whole the Sum of Seven Millions, in like Manner as is prescribed in an Act passed in the Forty-eighth Year of King *George* the Third, Chapter One, and in an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Fifteen, and in an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of Her present Majesty, Chapter Sixty-six.

The Clauses &c. in recited Acts extended to this Act.

II. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in this Act.

Bills how to be charged and paid.

III. The Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be charged upon and shall be paid out of any Supplies to be granted in the next Session of Parliament.

Interest on Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall respectively bear Date on such Days subsequent to the passing of this Act as the Commissioners of Her Majesty's Treasury may direct, and shall bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Bank of *England* standing to the Credit of the Exchequer.

Bills charged on Supplies to be current in Payment of Public Revenue, after Twelve Calendar Months from their Dates.

V. All the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall, after Twelve Calendar Months from their respective Dates, be taken and shall pass and be current to all the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted or payable, or which shall hereafter be granted or payable, to Her Majesty, Her Heirs and Successors, and also at the Bank of *England* to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, upon any Account whatever.

If full Amount of 7,000,000*l.* in Exchequer Bills is not issued, Exchequer Bonds may be issued.

VI. The Commissioners of Her Majesty's Treasury may from Time to Time, but not later than the Thirty-first Day of *March* One thousand eight hundred and fifty-six, cause any Number of Exchequer Bonds to be made out at the Receipt of the Exchequer at *Westminster* for such Sum or Sums of Money as they shall direct, but the Amount of such Exchequer Bonds, taken together with the Amount of Exchequer Bills issued from Time to Time under the Authority of this Act, shall not exceed in the whole the Sum of Seven Millions authorized

Exchequer Bills (£7,000,000).

rized to be raised by Exchequer Bills, as herein-before mentioned; and such Bonds shall bear such Interest as shall be determined by the said Commissioners, not exceeding Four Pounds *per Centum per Annum*, and shall be paid off at Par at the Expiration of any Period or Periods not exceeding Six Years from the Date of such Bonds.

Interest on Bonds, and Repayment of Principal Money.

VII. The Interest on such Bonds shall be paid half-yearly on such Days as shall be appointed by the said Commissioners, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof; and the Principal Monies secured by such Bonds shall be repaid out of such Monies as shall be provided by Parliament in that Behalf.

Treasury may cause Exchequer Bonds to be prepared and issued

VIII. The Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, cause or direct the Exchequer Bonds to be issued under the Authority of this Act to be prepared for such Principal Sums, not less in any Case than One hundred Pounds, together with Receipts or Certificates specifying the Interest from Time to Time accruing thereon, to be made out in such Manner and Form and bearing such Date as shall be fixed by the said Commissioners; and such Exchequer Bonds and the Interest accruing thereon respectively shall be transferable by the Delivery of such Bonds and of the Receipts or Certificates for such Interest thereon respectively; and the said Commissioners may from Time to Time, subject to the Provisions herein contained, prescribe and regulate how and by what Officer or Officers such Exchequer Bonds shall be signed or otherwise authenticated, and provide for the Manner of Payment of the Interest accruing thereon, and also for the Issue of new Bonds in lieu of any such Bonds worn or defaced which may be delivered up to be cancelled, and for the Issue of new Bonds in lieu of such Exchequer Bonds as may be lost, at such Times, upon such Securities, and under such Conditions and Precautions as they may think fit, and generally make such Regulations for the Safety and Convenience of the Holders of such Bonds, and the Payment of Interest upon the Production or Delivery of such Receipts or Certificates, or otherwise, as they may think fit; and the said Commissioners may, by such Regulations as aforesaid, provide, if they shall see fit, for the Registration of any such Bonds as may be delivered up by the Holders thereof for that Purpose, and for the Delivery of Certificates of such Registration in lieu thereof, which shall be transferable by Entries in a Register which may be provided for that Purpose in such Manner and subject to such Conditions and Restrictions as the said Commissioners may see fit, and every such Warrant shall from Time to Time be published in the *London Gazette*.

Application of Clauses 16, 17, 18, and 19 of 17 & 18 Vict. c. 23.

IX. The several Sections Sixteen, Seventeen, Eighteen, and Nineteen of the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Twenty-three, shall apply and

and be construed to and in relation to the Exchequer Bonds to be prepared under the Authority of this Act, in like Manner as if such several Sections had been repeated and re-enacted in this Act.

Money raised to be paid to the Consolidated Fund.

X. All such Sums of Money as shall be raised by Exchequer Bills or Exchequer Bonds to be made out in pursuance of this Act shall be paid to the Account of Her Majesty's Exchequer at the Bank of *England*, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Exchequer Bills and Bonds may be delivered to Persons authorized by the Treasury.

XI. The Commissioners of Her Majesty's Treasury may direct the Comptroller General of the Exchequer from Time to Time to deliver such Amount of Exchequer Bills or Exchequer Bonds, made out in pursuance of this Act, as the said Commissioners shall from Time to Time think fit, not exceeding in the whole the Sum of Seven Millions, to such Person or Officer as may be named in any Warrant to be issued by the said Commissioners for such Purpose, and such Person or Officer shall thereafter become chargeable and be charged with such Amount of Exchequer Bills and Exchequer Bonds as may be delivered to him, subject to such Directions as may be issued to him by the said Commissioners for the Sale thereof, and such Person or Officer shall be discharged from all Account in respect of such Exchequer Bills and Exchequer Bonds, on proving, to the Satisfaction of the Commissioners for auditing the Public Accounts, that he has duly obeyed the Directions of the said Commissioners of Her Majesty's Treasury: Provided always, that the said Commissioners shall not be authorized to direct the Issue of such Exchequer Bills and Exchequer Bonds to such Person or Officer, except for the Purpose of raising Money to be paid to the Account of Her Majesty's Exchequer at the Bank of *England* as aforesaid.

Bank of England may advance 7,000,000*l.* on the Credit of Bonds and Bills, and Commissioners of National Debt may invest Money on account of Savings Banks in Purchase of Bonds.

XII. It shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills and Exchequer Bonds to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Seven Millions, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any subsequent Act, to the contrary thereof in anywise notwithstanding; and also for the Commissioners for the Reduction of the National Debt to invest in the Purchase of Exchequer Bonds issued under the Authority of this Act any Money in their Hands on account of Savings Banks.

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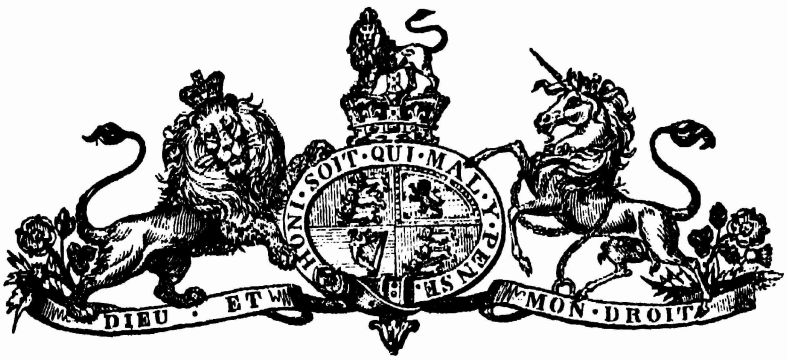

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXXXI.

An Act to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education.

[14th *August* 1855.]

WHEREAS it is expedient that greater Security should be afforded for the due Application of Money advanced in certain Cases to the Trustees or Managers of Schools by the Lords Commissioners of the Treasury out of the Parliamentary Grant for the Promotion of Education in *Great Britain:* Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Where any Grant hath been made or shall hereafter be made out of any Sums of Money heretofore granted or hereafter to be granted by Parliament for the Purposes of Education in *Great Britain*, under the Advice of any Committee of the Council on Education for the Time being, to the Trustees, Managers, or other Persons applying on behalf of any School, with the Consent of the Trustees or Persons holding the legal Estate thereof, for or towards the Purchase of the Site or the Erection, Enlargement, or Repair of the School, or the Residence of the Master or Mistress, or the furnishing such School or Residence, no

Sale, &c. of Premises in respect of which Grant of Money has been made not to be valid without Consent of Secretary of State, &c.

Sale,

Sale, Exchange, or Mortgage of the Premises in respect of which such Grant hath been or may hereafter be made in exercise of any Power contained in the Conveyance or other Deed relating thereto, or under any other legal Authority, shall be valid unless either the Consent of the Secretary of State for the Home Department for the Time being in Writing under his Hand be given to the same, or the Amount of the Grant which shall have been made as aforesaid shall be repaid to the Lords Commissioners of the Treasury for the Time being; and whenever any Grant as aforesaid shall be hereafter made, a Memorandum, to be signed by One of the Lords Commissioners of the Treasury for the Time being, shall be endorsed upon some One of the Title Deeds relating to the School, certifying to the Fact of the Grant having been made upon such Application, and for some such Purpose as aforesaid, and referring to this Act; and in any Case in which any Grant as aforesaid shall have been already made, so soon as such Memorandum shall have been endorsed and signed on any such Deed, all Bonds, Covenants, or other personal Obligations heretofore given or entered into to prevent the Exercise of any such Power of Sale, Exchange, or Mortgage without such Consent as aforesaid, shall, so far as they relate to such Exercise, but no further, be annulled.

Purchasers not to be affected without Notice.

II. Nothing herein contained shall affect any Purchaser for a valuable Consideration without Notice, nor be deemed to apply to any School in respect of any such Grant heretofore made without any such Bond, Covenant, or other personal Obligations or Conditions as to Sale, Exchange, or Mortgage having been entered into by the Trustees or Persons holding the legal Estate in such Schools and the Committee of Council on Education.

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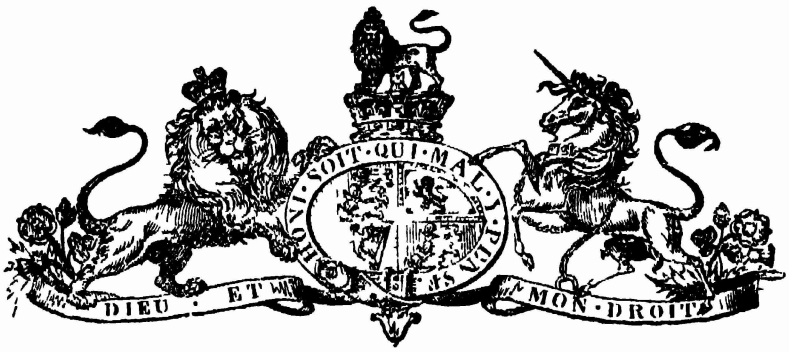

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

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CAP. CXXXII.

An Act for facilitating the Erection of Dwelling Houses for the Labouring Classes.

[14th *August* 1855.]

WHEREAS it is expedient that Facilities should be afforded for the Erection of healthful and commodious Dwellings for the Labouring Classes: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may for all Purposes be cited as "The Labourers Dwellings Act, 1855." Short Title.

Constitution of Company.

II. Any Number of Persons not less than Six may, by subscribing Articles of Association or a Schedule thereto, form themselves into a Company for the Purposes herein-after mentioned: The Articles shall be in the Form set forth in the Schedule hereto, or as near thereto as Circumstances permit: There shall be set opposite to the Name of each Subscriber the Sum subscribed for by him in the Capital of the Company, and his Subscription shall be deemed to imply a Covenant on the Part of himself, his Heirs, Executors, and Power to form Company.

Administrators, to pay to the Company the Amount so subscribed for.

Registration of Articles.

III. The Articles shall be registered by the Registrar of Joint Stock Companies, who shall charge in respect of such Registration such Fees as may from Time to Time be directed by the Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Plantations, herein-after called the Board of Trade; and upon such Registration being made the Subscribers, together with such other Persons as may from Time to Time become Members of the Company, shall be a Body Corporate by the Name prescribed in the Articles of Association, having a perpetual Succession and a Common Seal; but no such Registration shall be made until it is proved to the Satisfaction of the said Registrar that Three Fourths of the proposed Capital has been subscribed for, and that Ten *per Centum* upon such Capital has been paid up.

Certificate of Incorporation.

IV. The said Registrar shall grant a Certificate stating the Date of the Incorporation of the Company, and such Certificate shall in all Cases be *primâ facie* Evidence of the Fact of such Incorporation.

8 & 9 Vict. c. 16. incorporated with this Act.

V. The Companies Clauses Consolidation Act, 1845, shall be incorporated into and form Part of this Act, with the Exception of the Provisions relating to the Recovery of Damages, and to the Provision to be made for affording Access to the Special Act; and in the Construction of the said Companies Clauses Act the Articles of Association shall be deemed to be the Special Act, and the Date of the Incorporation of the Company, as certified in manner aforesaid, shall be deemed to be "the Time of the passing of the Special Act;" and whenever the Term "prescribed" is used in this or in the said incorporated Act, it shall mean "prescribed by the Articles of Association."

Rights and Obligations of Company.

Purpose of Company.

VI. Every Company incorporated under this Act, and herein-after referred to as "the Company," shall be established for the Purpose of providing Dwellings for the Labouring Classes, with or without private Gardens, or with or without common Gardens or Places of common Recreation for the Use of the Inmates of such Dwellings, and for no other Purpose whatever; and for the above Purpose the Company shall have Power to accept Grants and Leases of and to purchase and hold Land, to erect thereon Dwellings for the Labouring Classes, and to let such Dwellings to Lodgers by the Week or Month, or to demise the same to Lessees for any Estate or Interest not greater than a Term of Twenty-

Twenty-one Years, upon such Terms of Remuneration as they think fit; subject to this Proviso, that the Company shall not be entitled to hold at any One Time more than Ten Acres of Land, except with the Licence of the Committee of Privy Council for Trade.

Regulations as to Dwellings.

VII. The following Regulations shall be made respecting any Dwellings provided by the Company; that is to say,

(1.) All such Dwellings shall, as respects Drainage, Ventilation, Supply of Water, and necessary Conveniences, be constructed and provided in such Manner as may be approved by the General Board of Health, and shall be maintained by the Company in good and sufficient Repair:

(2.) Any Person appointed by the General Board of Health may at all reasonable Times inspect any such Dwellings as aforesaid.

Permissive Rights of the Company.

VIII. The following Matters and Things may be prescribed by the Articles of Association, and if so prescribed, but not otherwise, shall be binding; that is to say,

(1.) That the Capital of the Company may, with the Approval of the Board of Trade, and subject to such Condition as they may impose, be increased by the Issue of a prescribed Number of Shares, and of a prescribed Amount:

(2.) That no Premium is to be taken in respect of any Lease granted by the Company:

(3.) That the Interest granted to any Lessee is not to exceed the prescribed Term, such Term being less than Twenty-one Years:

(4.) That the Interest of a Lessee is not to be disposed of without the Consent of the Directors:

But no Power hereby given shall be exercised in such Manner as to prejudice any Right under any subsisting Lease or Contract for a Lease.

Power to mortgage given in certain Cases.

IX. In Cases where it is prescribed by the Articles of Association that the Dwellings belonging to the Company are to be let only to Lodgers by the Week or Month and not for any greater Interval, the Company may, as soon as Half the subscribed Capital is paid up, borrow on the Security of their Property to the prescribed Amount, such Amount not to exceed One Third of such subscribed Capital; but no Mortgagee shall have Power to eject any Tenant before the Expiration of his Tenancy; and in no other Case shall the Company have Power to borrow Money.

X. The

Rules as to Demises by the Company.

X. The following Rules shall be observed with respect to Demises and Letting made by the Company:

(1.) The Dwellings provided by the Company, with the private Gardens (if any) appurtenant thereto, shall be divided into such Parcels as may be conveniently held in distinct Occupations:

(2.) The Parcels shall be numbered in Arithmetical Progression, beginning with the Figure One, each Parcel being distinguished by a separate Number:

(3.) The Interests of the Lessees, other than monthly or weekly Tenants, in the Property of the Company, shall be deemed to be Shares in a Capital consisting of the Dwelling Houses of the Company, with their Appurtenances; and in all Cases where such Interests are not restricted to the original Lessee, the Transfer or Transmission of such Interests shall take place in manner in which the Transfer or Transmission of Shares takes place in pursuance of the said Companies Clauses Consolidation Act, 1845, or as near thereto as Circumstances admit; and the Clauses of such last-mentioned Act with respect to the Transfer or Transmission of Shares shall, with the necessary Alterations, be held to apply to the Transfer or Transmission of the Interests of any such Lessees as aforesaid.

Power to Company to purchase Interests of Lessees.

XI. The Company may purchase the Interest of any registered Lessee, and upon such Purchase being made such Interest shall be deemed to be extinguished, and the Company may demise the Premises so purchased in the same Manner as if no previous Lease thereof had ever before been made.

Penalty on Misappropriation of Funds.

XII. If any Funds of the Company are advanced to any Person by way of Loan, or are with a view of gaining Profit appropriated to any Purpose other than the Purpose for which the Company is hereby declared to be established, every Director of the Company shall, in addition to any other Liabilities he may be under to replace such Funds, be liable, at the Suit of any Shareholder or other Person, whether implicated or not in such Loan or Misappropriation, to pay to such Shareholder or other Person, to be applied by him to his own Use, in respect of each such Advance or Misappropriation, a Sum by way of Penalty not greater in Amount than the Sum so advanced or misappropriated, and not less than Half such Sum.

Penalty in case Dwellings are not sufficiently drained, &c.

XIII. If any Dwelling belonging to the Company is insufficiently drained or ventilated, or insufficiently supplied with Water or necessary Conveniences, or is in a bad State of Repair, the General Board of Health

Health may, by Order left at any Office of the Company, or served on any Director of the Company, require the Company, within a reasonable Time, to be specified in such Order, sufficiently to drain, ventilate, and supply with Water and necessary Conveniences, or put in a good State of Repair, such Dwelling; and if default is made in compliance with the Requisitions of such Notice, the Company shall incur a Penalty not exceeding Five Pounds for every Day during which such Default continues; and it shall be lawful for any Justices by whom such Penalty is imposed, if they think fit, to order the whole or any Part thereof to be laid out in executing the Works in respect of which the Penalty is incurred; and in addition to the above Remedy the said General Board may themselves do the Works required by such Notice, and recover from the Company in a summary Manner the Expenses of so doing the same; but any Order made by the General Board in pursuance of this Section may be appealed against, and, on Application by Motion, be set aside or otherwise modified by any of Her Majesty's Superior Courts of Law at *Westminster*.

XIV. If any Person obstructs any Inspector of the General Board of Health in the Inspection of any Dwelling belonging to the Company, he shall for each Offence incur a Penalty not exceeding Five Pounds. Penalty on obstructing Inspector.

Miscellaneous.

XV. The Provisions of the Lands Clauses Consolidation Act, 1845, with reference to the Purchase of Lands by Agreement, shall be incorporated with this Act, and shall apply to the Purchase of Land by the Company in pursuance of this Act. Certain Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

XVI. All Penalties imposed by this Act, or by any Byelaws made in pursuance of this Act or of any Act incorporated herewith, and all Sums of Money hereby directed to be recovered in a summary Manner, may be recovered in a summary Manner before Two Justices, as directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders.* Recovery of Penalties.

XVII. This Act shall not extend to *Scotland*. Extent of Act.

SCHEDULE.

Articles of Association of the *Company.*

1. The Name of the Company shall be the Company.

Sect. 6. 2. The Capital of the Company shall be Pounds divided into Shares of Pounds each.

Sect. 66. 3. The First Ordinary Meeting of the Company shall be held Days after the Date of the Incorporation of the Company.

Sect. 82. 4. The Number of Directors shall be ; but the Company may reduce such Number to any Number not less than and may increase it to any Number not exceeding

Sect. 83. 5. The First Directors of the Company shall be the following Persons; that is to say*,

* *Insert Names of Directors.*

N.B.—The References in the Margin refer to the Sections of the Companies Clauses Consolidation Act, 1845.

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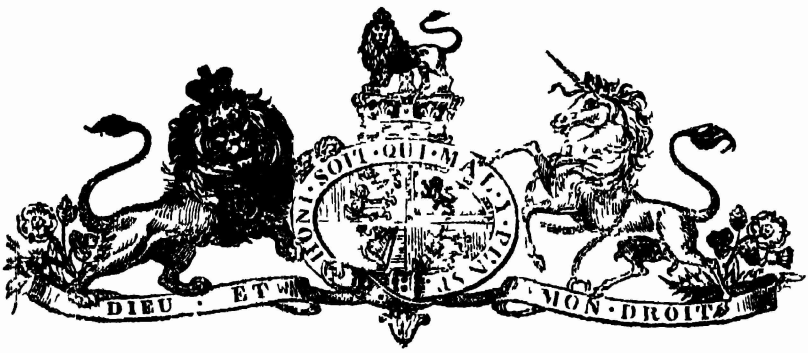

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. CXXXIII.

An Act for limiting the Liability of Members of certain Joint Stock Companies.

[14th *August* 1855.]

WHEREAS it is expedient to enable Members of Joint Stock Companies to limit the Liability for the Debts and Engagements of such Companies to which they are now subject: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Mode of obtaining Limited Liability by future Companies.

I. Any Joint Stock Company to be formed under the Act of the Eighth Year of Her Majesty, Chapter One hundred and ten, (other than an Assurance Company,) with a Capital to be divided into Shares of a nominal Value not less than Ten Pounds each, may obtain a Certificate of Complete Registration with Limited Liability upon complying with the Conditions following, in addition to doing all other Matters and Things now required in order to obtain a Certificate of Complete Registration; that is to say,

(1.) The Promoters shall state on their Returns to the Office for Provisional Registration that such Company is proposed to be formed with Limited Liability:

(2.) The Word "Limited" shall be the last Word of the Name of the Company:

(3.) The

(3.) The Deed of Settlement shall contain a Statement to the Effect that the Company is formed with Limited Liability:

(4.) The Deed of Settlement shall be executed by Shareholders, not less than Twenty-five in Number, holding Shares to the Amount in the aggregate of at least Three Fourths of the nominal Capital of the Company, and there shall have been paid up by each of such Shareholders on account of his Shares not less than Twenty Pounds *per Centum:*

(5.) The Payment of the above Per-centage shall be acknowledged in or endorsed on the Deed of Settlement, and the Fact of the same having been *bonâ fide* so paid shall be verified by a Declaration of the Promoters, or any Two of them, made in pursuance of the Act made in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-two:

And upon such Conditions being complied with, and such other Matters and Things done, the Registrar of Joint Stock Companies shall grant a Certificate of Complete Registration with Limited Liability to such Company.

Mode of obtaining Limited Liability by Companies now or hereafter registered.

II. Any Joint Stock Company, except as aforesaid, now or hereafter completely registered under the said Act of the Eighth Year of Her Majesty, may obtain a Certificate of Complete Registration with Limited Liability, in manner and subject to the Condition following; that is to say,

The Directors of such Company may, with the Consent of at least Three Fourths in Number and Value of its Shareholders who may be present, personally or by Proxy, at any General Meeting summoned for that Purpose, make such Alteration in the Name, nominal Value of Shares, and Deed of Settlement of the Company as may be necessary for enabling it to comply with the Conditions herein-before mentioned with respect to Joint Stock Companies seeking to obtain Certificates of Complete Registration with Limited Liability; and upon Compliance with such Conditions the Registrar, after the Affairs of the Company shall at the Expense of the Company have been audited by some Person appointed by the Board of Trade, and on Certificate from the said Board that the complete Solvency thereof has been established on such Audit to its Satisfaction, shall grant to such Company, by its new Name, a Certificate of Complete Registration with Limited Liability, and thereupon all Privileges and Obligations hereby attached to Companies with Limited Liability, their Shareholders, Directors, and Officers, shall attach to the Company named in such Certificate, its Shareholders, Directors, and Officers.

III. Any

Limited Liability.

III. Any Joint Stock Company, except as aforesaid, constituted under any Private Act of Parliament, whereof it shall be proved to the Satisfaction of the Board of Trade, after the Affairs of the Company shall, at the Expense of the Company, have been audited by some Person appointed by the Board of Trade, that the said Company is perfectly solvent, and that not less than Twenty *per Centum* of Three Fourths of the nominal Capital of such Company has been paid up, may obtain a Certificate of Complete Registration with Limited Liability, in manner and subject to the Condition following; that is to say,

Mode of obtaining Limited Liability by existing Companies constituted under Private Acts of Parliament.

The Directors of such Company may, with the Consent of at least Three Fourths in Number and Value of its Shareholders who may be present, personally or by Proxy, at any General Meeting summoned for that Purpose, make such Alteration in the Name and nominal Value of Shares as may be necessary for enabling it to comply with the Condition in that Behalf herein-before mentioned with respect to Joint Stock Companies seeking to obtain Certificates of Complete Registration with Limited Liability; and upon Compliance with such Condition the Registrar, on Receipt of a Certificate of the Solvency of the Company, and of the Payment of Capital as before mentioned, shall grant to such Company, by its new Name, a Certificate of Complete Registration with Limited Liability; and thereupon all Privileges and Obligations hereby attached to Companies with Limited Liability, their Shareholders, Directors, and Officers, shall attach to the Company named in such Certificate, its Shareholders, Directors, and Officers.

IV. Every Company that has obtained a Certificate of Complete Registration with Limited Liability shall paint or affix, and shall keep painted or affixed, its Name on the Outside of every Office or Place in which the Business of the Company is carried on, in a conspicuous Position, in Letters easily legible, and shall have its Name engraven in legible Characters on its Seal, and shall have its Name mentioned in legible Characters in all Notices, Advertisements, and other official Publications of such Company, and in all Bills of Exchange, Promissory Notes, Cheques, Orders for Money, Bills of Parcels, Invoices, Receipts, Letters, and other Writings used in the Transaction of the Business of the Company.

Regulations to be observed on Complete Registration with Limited Liability.

V. If such Company do not paint or affix, and keep painted or affixed, its Name, in the Manner aforesaid, each of the Directors thereof shall be liable to a Penalty not exceeding Five Pounds for not so painting or affixing its Name, and for every Day during which such Name is not so kept painted or affixed; and if any Director or other Officer of the Company, or any Person on its Behalf, use any Seal purporting

Penalties to be inflicted for Non-observance of such Regulations.

purporting to be a Seal of the Company whereon its Name is not so engraven as aforesaid, or issue or authorize the Issue of any Notice, Advertisement, or other official Publication of such Company, or of any Bill of Exchange, Promissory Note, Cheque, Order for Money, Bill of Parcels, Invoice, Receipt, Letter, and other Writing used in the Transaction of the Business of the Company, wherein its Name is not mentioned in the Manner aforesaid, he shall be liable to a Penalty of Fifty Pounds, and shall further be personally liable to the Holder of any such Bill of Exchange, Promissory Note, Cheque, or Order for Money, for the Amount thereof, unless the same shall be duly paid by the Company.

Every Increase in the nominal Capital to be registered, under a Penalty.

VI. No Increase to be made in the nominal Capital of any Company that has obtained a Certificate of Complete Registration with Limited Liability shall be advertised or otherwise treated as Part of the Capital of such Company, until it has been registered with the Registrar of Joint Stock Companies; and no such Registration shall be made unless a Deed is produced to the Registrar, executed by Shareholders holding Shares of the nominal Value of not less than Ten Pounds to the Amount in the aggregate of at least Three Fourths of the proposed increased Capital of the Company, nor unless it is proved to the Registrar, by such Acknowledgment and Declaration as herein-after mentioned, that upon each of such Shares there has been paid up by the Holder thereof an Amount of not less than Twenty Pounds *per Centum;* and if any such Increase of Capital as aforesaid be advertised or otherwise treated as Part of the Capital of the Company before the same has been so registered, every Director of such Company shall incur a Penalty of Fifty Pounds; and the Payment of the above Percentage shall be acknowledged in or endorsed on the Deed so produced, and the Fact of the same having been bonâ fide so paid shall be verified by a Declaration of the Directors, or any Two of them, made in pursuance of the said Act made in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-two.

Members of certificated Companies to be free from personal Liability.

VII. The Members of a Joint Stock Company which has so obtained a Certificate of Complete Registration with Limited Liability, after such Certificate is granted, notwithstanding the Provisions contained in the said Act of the Eighth Year of Her present Majesty, shall not be liable, under any Judgment, Decree, or Order which shall be obtained against such Company, or for any Debt or Engagement of such Company, further or otherwise than is herein-after provided.

Effect of Execution against Company.

VIII. If any Execution, Sequestration, or other Process in the Nature of Execution, either at Law or in Equity, shall have been issued

issued against the Property or Effects of the Company, and if there cannot be found sufficient whereon to levy or enforce such Execution, Sequestration, or other Process, then such Execution, Sequestration, or other Process may be issued against any of the Shareholders to the Extent of the Portions of their Shares respectively in the Capital of the Company not then paid up, but no Shareholder shall be liable to pay in satisfaction of any One or more such Execution, Sequestration, or other Process a greater Sum than shall be equal to the Portion of his Shares not paid up: Provided always, that no such Execution shall issue against any Shareholder except upon an Order of the Court, or of a Judge of the Court, in which the Action, Suit, or other Proceeding shall have been brought or instituted, and such Court or Judge may order Execution to issue accordingly, with the reasonable Costs of such Application, and Execution to be taxed by a Master of the said Court; and for the Purpose of ascertaining the Names of the Shareholders, and the Amount of Capital remaining to be paid upon their respective Shares, it shall be lawful for any Person entitled to any such Execution, at all reasonable Times, to inspect the Register of Shareholders without Fee.

If Dividends be made and Corporation insolvent, each Director consenting thereto liable.

IX. If the Directors of any such Company shall declare and pay any Dividend when the Company is known by them to be insolvent, or any Dividend the Payment of which would to their Knowledge render it insolvent, they shall be jointly and severally liable for all the Debts of the Company then existing, and for all that shall be thereafter contracted, so long as they shall respectively continue in Office; provided that the Amount for which they shall all be so liable shall not exceed the Amount of such Dividend, and that if any of the Directors shall be absent at the Time of making the Dividend, or shall object thereto, and shall file their Objection in Writing with the Clerk of the Company, they shall be exempted from the said Liability.

Notes of Shareholders not receivable in Payment of Calls; Liability of each Officer consenting to a Loan to Shareholders.

X. No Note or Obligation given by any Shareholder to the Company whereof he is a Shareholder, whether secured by any Pledge or otherwise, shall be considered as Payment of any Money due from him on any Share held by him, and no Loan of Money shall be made by any such Company to any Shareholder therein; and if any such Loan shall be made to a Shareholder, the Directors who shall make it, or who shall assent thereto, shall be jointly and severally liable to the Extent of such Loan, and Interest for all the Debts of the Company contracted before the Repayment of the Sum so lent.

Rights of Creditors of existing Companies preserved.

XI. Where any Company completely registered under the said Act of the Eighth Year of Her present Majesty, or any Company constituted under any Act of Parliament, shall obtain a Certificate of Complete Registration with Limited Liability, the Grant of such Certificate shall not prejudice or affect any Right which previously to the Grant of such Certificate has accrued to any Creditor or other Person against the Company in its Corporate Capacity, or against any Person then being or having been a Member of such Company, but every such Creditor or other Person shall be entitled to all such Remedies against the Company in its Corporate Capacity, and against every Person then being or having been a Member of such Company, as he would have been entitled to in case such Certificate had not been obtained.

Change in the Name of a Company under the Act not to affect the Rights of the Company or other Parties.

XII. No Alteration made by virtue of this Act in the Name of any Company shall prejudice or affect any Right which previously to such Alteration has accrued to such Company as against any other Company or Person, or which has accrued to any other Company or Person as against such Company, but every such Company as against any other Company or Person, and every other Company or Person as against such Company and the Members thereof, shall be entitled to all such Remedies as they or he would have been entitled to if no such Alteration had been made; and no such Alteration shall abate or render defective any legal Proceeding pending at the Time when such Alteration is made.

Companies to be dissolved and wound up when Three Fourths of the Capital lost.

XIII. In the Case of any Company which has obtained a Certificate of Limited Liability, whenever, on taking the yearly Accounts of such Company, or by any Report of the Auditors thereof, it appears that Three Fourths of the subscribed Capital Stock of the Company has been lost, or has become unavailable in the Course of Trade, from the Insolvency of Shareholders, or from any other Cause, the Trading and Business of such Company shall forthwith cease, or shall be carried on for the sole Purpose of winding up its Affairs; and the Directors of such Company shall forthwith take proper Steps for the Dissolution of such Company, and for the winding up of its Affairs, either by Petition to the Court of Chancery, or by Exercise of the Powers of the Deed of Settlement, or by such other lawful Course as they may think most fit.

Auditors to be appointed subject to Approval of Board of Trade.

XIV. In Cases where a Certificate of Registration with Limited Liability has been obtained, when One Auditor only shall have been appointed under the Thirty-eighth Section of the Act of the Eighth of *Victoria*, Chapter One hundred and ten, that single Auditor, and when Two or more such Auditors shall have been

so appointed then One of such Auditors, shall be subject to the Approval of the Board of Trade, and such Board in case the Auditor submitted to them for Approval shall for any Reason appear unfit or objectionable shall appoint another in his Place.

XV. Every pecuniary Penalty imposed in pursuance of this Act shall be deemed a Debt due to the Crown, and shall be recoverable accordingly. **Recovery of Penalties.**

XVI. This Act shall, so far as is consistent with the Contents and Subject Matter thereof, be taken as Part of and construed with the said Act of the Eighth Year of Her present Majesty, Chapter One hundred and ten, and the Act of the Eleventh Year of Her Majesty, Chapter Seventy-eight, and all the Provisions of the said Acts, save in so far as they are varied by this Act, shall apply to Persons and Companies applying for or obtaining a Certificate of Complete Registration with Limited Liability. **Act to be taken as Part of 7 & 8 Vict. c. 110.**

XVII. The Provisions of the Act of the Eighth Year of Her present Majesty, Chapter One hundred and eleven, and of the Joint Stock Companies Winding-up Act, 1848, and of the Joint Stock Companies Winding-up Amendment Act, 1849, shall apply to Persons and Companies obtaining a Certificate of complete Registration with Limited Liability, subject only to such Variations as may be occasioned by the Provisions of this Act. **Provisions of 7 & 8 Vict. c. 111., 11 & 12 Vict. c. 45., and 12 & 13 Vict. c. 108. to apply to this Act.**

XVIII. This Act shall not apply to *Scotland*. **Act not to apply to Scotland.**

XIX. This Act may be cited for all Purposes as "The Limited Liability Act, 1855." **Short Title.**

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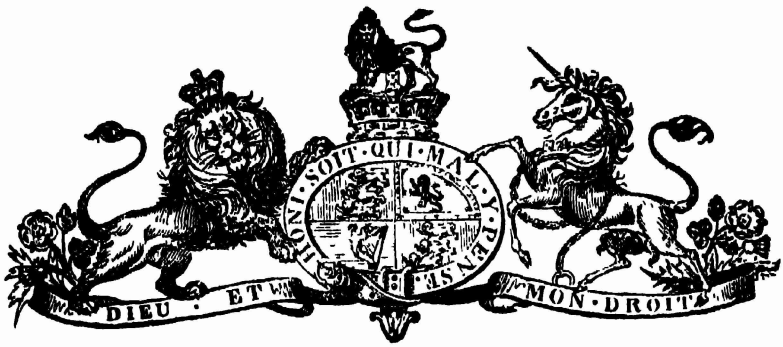

ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

CAP. CXXXIV.

An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery, and to vest in the Lord Chancellor the Ground and Buildings of the said Court situate in *Southampton Buildings, Chancery Lane*, with Powers of leasing and Sale thereof. [14th *August* 1855.]

WHEREAS, for the Prevention of Delays and Inconveniences in the carrying on of such Portion of the Business of the High Court of Chancery as is transacted by the Master of the Rolls and the Vice Chancellors respectively sitting at Chambers, it is requisite that an Addition to the Number of Junior Clerks attached to the Courts of the said Judges respectively should be forthwith made, and a further like Addition may hereafter become necessary: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Additional Junior Clerk to each Chief Clerk may be appointed forthwith.

I. It shall be lawful for the Master of the Rolls and every of the Vice Chancellors to appoint forthwith after the passing of this Act One

One additional Junior Clerk to each of their respective Chief Clerks, and for the Master of the Rolls and the Vice Chancellors for the Time being respectively to fill up from Time to Time such Vacancies as may occur in the respective Offices of the Junior Clerks so appointed.

Duties, &c. of the Junior Clerks under this Act.

II. Such of the Provisions contained in the Sections numbered respectively XIX., XX., XXII., XXIII., XXIV., XLIV., and XLV. of the Act, intituled *An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court*, passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, (Chapter Eighty,) as relate to the Removal from Office, striking off the Rolls, Tenure of Office, Attendances, Duties, Prohibitions, Prosecutions, Penalties and Punishments, Salaries and Annuities, of and respecting the Junior Clerks by the same Act authorized to be appointed, are hereby extended and applied to and in the Case of the Junior Clerks to be appointed under this Act.

Lord Chancellor may increase Salaries of Chief Clerks.

III. That notwithstanding anything in the Master in Chancery Abolition Act, of the Fifteenth and Sixteenth *Victoria*, Chapter Eighty, to the contrary, it shall be lawful for the Lord Chancellor, if he shall so think fit, upon the Certificate therein mentioned to order and direct the Salaries of the present Chief Clerks appointed thereunder to be increased to the full Amount authorized by the said Act, as from the Second Day of *November* One thousand eight hundred and fifty-five.

Salaries of Junior Clerks may be apportioned among them.

IV. Notwithstanding anything in the said Act or this Act contained concerning the Salaries to be paid to the Junior Clerks respectively, it shall be lawful for the Lord Chancellor to apportion from Time to Time the aggregate Amount of the Salaries which the Junior Clerks to any one Chief Clerk shall for the Time being be entitled collectively to receive to and between the same Junior Clerks, in such Proportion and Manner as the Lord Chancellor, with the Advice and Assistance of the Judge to whose Court such Chief Clerk shall be attached, may think fit, but so nevertheless that the apportioned Part which shall be directed to be paid to any Person appointed to the Office of Junior Clerk before the passing of this Act shall not at any Time be of less Amount than the Salary to which he would have been at that Time entitled if this Act had not been passed.

And whereas better Provision is required for the due Despatch of the Business now transacted in the Report Office of the Court of Chancery: Be it therefore enacted as follows:

V. The

Despatch of Business, Court of Chancery.

V. The Office of Master of Reports and Entries shall be and the same is hereby abolished from the first Occurrence of a Vacancy therein after the passing of this Act, or from such other Period before the Occurrence of a Vacancy as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, may by Order direct.

Office of Master of Reports and Entries abolished from first Vacancy.

VI. From and after the Time when such Abolition shall take effect, the Business of the Report Office (except such Part thereof as is transacted by the Entering Clerks) shall be conducted and carried on under the Superintendence, Direction, and Control of the Clerks of Records and Writs, who shall thenceforth discharge all such Duties relative to the Report Office as may then belong to the Office of the Master of Reports and Entries, as far as the same may be from Time to Time necessary or proper to be discharged; and such Part of the Business of the Report Office as is transacted by the Entering Clerks shall be conducted and carried on by such Entering Clerks (who shall be thenceforth styled "The Entering Clerks to the Registrars") under the Superintendence, Direction, and Control of the Senior Registrar for the Time being, subject nevertheless, as to all and every Part of the Business now transacted in the Report Office, to such Rules and Regulations as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, may from Time to Time think fit by Order to make concerning the same.

Report Office to be thenceforth under Superintendence of Clerks of Records and Writs, the Entering Clerks to be under that of the Senior Registrar.

VII. The Provision contained in the Section numbered XXIX. of the Act, intituled *An Act for the Relief of the Suitors of the High Court of Chancery*, passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty (Chapter Eighty-seven), directing that the Duties of the Clerk of Reports (whose Office was before by the same Act abolished) should be performed by such Person or Persons as the Lord Chancellor should appoint for that Purpose, and providing for his or their Salary or Salaries, shall be and the same is hereby repealed, without Prejudice, nevertheless, to any Appointment already made under the same Provision.

Repeal of Part of 15 & 16 Vict. c. 87. s. 29.

VIII. The Offices of the Two Clerks appointed under the last-mentioned Provision to perform the Duties of the Clerk of Reports shall be continued under this Act, and upon any Vacancy in either of those Offices it shall be lawful for the Lord Chancellor to fill up the Vacancy; and if and when the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, shall deem the Appointment of more than Two Persons to be requisite for the due Performance of the Duties of the Clerk of Reports or otherwise for the due Despatch of the Business of the Report Office, it shall be lawful for the Lord Chancellor

Number, &c. of Clerks in Report Office.

Chancellor to appoint from Time to Time, in addition to such Two Clerks and their Successors as aforesaid, so many Clerks of and in the Report Office as Occasion may require and the Lord Chancellor, with the Advice and Assistance last aforesaid, may direct, and from Time to Time to fill up all or any of the Vacancies which may occur in the Offices of the Clerks so appointed in addition as aforesaid.

Provision respecting other Duties of the Master of Reports and Entries not repealed as to present Master.

IX. Nothing in this Act contained shall be taken to repeal or alter, as far as regards *James Thomas Fry*, the present Master of Reports and Entries, any of the Provisions contained in the Sections numbered respectively XXXIV., XXXV., and XXXVI. of the said Act "for the Relief of the Suitors of the High Court of Chancery," relating to the countersigning by the Master of Reports and Entries of Notes or Cheques drawn by the Accountant General of the Court of Chancery upon the Bank of *England*, and the Payment thereof by the same Bank, and directing that the Master of Reports and Entries should also perform all such other Duties (as well as the Duties in the same Act mentioned) as the Lord Chancellor should from Time to Time by any Order direct, and the same Provisions shall respectively continue in full Force as far as regards the said *James Thomas Fry*, and the Lord Chancellor is hereby required to continue the said *James Thomas Fry* as an Officer of the Court of Chancery for the Performance of the Duties herein-before mentioned, or such other Duties as aforesaid, after and notwithstanding that the Abolition of the said Office may have taken effect under this Act.

Provision for Continuance of present Master's Salary.

X. As long as the said *James Thomas Fry* shall continue to perform or shall be ready and willing to perform any Duty now belonging to the Office of Master of Reports and Entries, or any Duty which under the last-mentioned Provision he may be directed by the Lord Chancellor to perform, he shall continue to be entitled to receive the Salary attached to the Office of Master of Reports and Entries as if this Act had not been passed.

Additional Salary to present Clerks of Records and Writs in certain Cases.

XI. In case, upon the Abolition of the Office of the Master of Reports and Entries taking effect, any of the Persons now respectively holding the Offices of Clerks of Records and Writs shall be required under this Act to discharge the Duties of the Office of the Master of Reports and Entries, or any of them, and the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, shall deem the Duties then devolving upon the said Persons to be too extensive in proportion to their present Salaries, they respectively may receive, in addition to their respective Salaries as Clerks of Records and Writs, such Salaries, not exceeding the Sum of Two hundred Pounds *per Annum* each, as the Lord Chancellor, with the Advice and Assistance

Assistance of the Master of the Rolls, shall by Order direct; but such additional Salaries shall cease in the event of the Vacancy now existing being filled up by the Appointment of a Fourth Clerk of Records and Writs, or in the event of the said Persons now respectively holding the Offices of Clerks of Records and Writs being relieved from the Duties of the Office of Master of Reports and Entries.

Salaries of the Clerks in the Report Office.

XII. The Two Clerks already appointed and the Clerks who may be hereafter appointed to perform the Duties of the Clerk of Reports or to act in the Report Office shall respectively be entitled under this Act to receive such Salaries as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, shall from Time to Time by Order direct, but so that the whole Amount payable for all such Salaries shall not in any One Year exceed the Sum which, if equally divided between or among all such Clerks for the Time being, would admit of a Salary of Two hundred and fifty Pounds for each of them.

Power to Lord Chancellor to grant Retiring Allowance to Alexander McKean.

XIII. And whereas *Alexander McKean*, One of the Two Persons already appointed by the Lord Chancellor under the Provision herein-before mentioned to perform the Duties of the Clerk of Reports, has been employed as a Clerk or as a Writer in the Report Office for a Period of Twenty-five Years in the whole, and had been employed previously thereto as a Writer attached to the Registrars Office of the Court of Chancery for a Period of Thirteen Years, and he is now of the Age of Sixty-seven Years, and is no longer capable of discharging efficiently the Duties which have been hitherto assigned to him in the Report Office: And whereas under the Circumstances aforesaid it is desirable that the Lord Chancellor should be empowered to order a suitable Retiring Allowance to be paid to the said *Alexander McKean* on his ceasing to be employed in the Report Office: Be it therefore enacted, That it shall be lawful for the Lord Chancellor by Order to direct that, from and after the said *Alexander McKean* ceasing to be employed in the Report Office, there shall be paid to him during his Life such Retiring Allowance, not exceeding the Sum of One hundred Pounds *per Annum*, as the Lord Chancellor shall think fit, upon such Terms and Conditions, if any, as the Lord Chancellor may in such Order think fit to annex thereto.

How Salaries, Compensations, &c. to be paid.

XIV. All Salaries given under this Act shall grow due and be payable in such Manner, at such Times, to such Parties, and out of such Fund, as are in the Section numbered XLVIII. of the said Act "for the Relief of the Suitors of the High Court of Chancery" mentioned respecting Salaries under that Act, and such Retiring Allowance as may be ordered to be paid to the said *Alexander McKean* under this Act, shall grow due and be payable in such

Manner, at such Times, to such Parties, and out of such Interest and Dividends as are in the Section numbered L. of the same Act mentioned respecting Retiring Allowances under that Act, subject nevertheless to the Payment of all such Salaries and other Sums of Money as are now payable out of such Fund, Interest, and Dividends respectively.

Persons taking false Oaths before Solicitors appointed under this and recited Acts guilty of Perjury.

XV. If any Person shall wilfully take or make any false Oath, Affirmation, or Declaration before any Solicitor authorized as in the Act of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Seventy-eight, is mentioned, such Person shall be subject to all the Pains and Penalties of Perjury, whether the same Oath, Affirmation, or Declaration shall or shall not have been taken or made at a Place at which, under the Provisions of the said last-mentioned Act, the same Oath, Affirmation, or Declaration might lawfully be taken or made; but every Solicitor before whom any Oath, Affirmation, or Declaration shall be taken or made under the last-mentioned Act shall state truly in the Jurat or Attestation at what Place the same Oath, Affirmation, or Declaration has been taken or made.

Business which Court is not empowered to dispose of in a summary Way, may be disposed of at Chambers.

XVI. And whereas by divers Acts of Parliament the Court of Chancery is empowered to make Orders in respect of the Disposition of Trust Funds, and other Matters under its Jurisdiction, upon Petition presented or Motion made in a summary Way, without Bill, but such Orders cannot be made in respect of the same Matters upon Application at Chambers: Be it therefore enacted, That the Business to be disposed of by the Master of the Rolls and the Vice-Chancellors respectively while sitting at Chambers shall comprise such of the Matters in respect of which the Court of Chancery is so as aforesaid empowered to make Orders in a summary Way as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls and the Vice Chancellors or of any Two of them, may by any General Order direct.

And whereas by an Act passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third (Chapter Forty-two), intituled *An Act to empower the High Court of Chancery to lay out a further Sum of the Suitors Money upon proper Securities, and for applying the Interest towards discharging the Expenses of the Office of the Accountant General, and for building Offices for the Masters in Ordinary in Chancery, and a Publick Office for the Suitors of the said Court, and Offices for the Secretaries of Bankrupts and Lunaticks, and for building Repositories for securing the Title Deeds of the Suitors of the said Court and the Records*

32 G. 3. c. 42.

Despatch of Business, Court of Chancery.

Records and Proceedings of the Commissioners of Bankrupts and Lunaticks, it was enacted (amongst other things) that out of the common and general Cash belonging to the Suitors of the Court of Chancery which then lay or should thereafter lie dead and unemployed in the Bank of *England*, a Sum not exceeding Three hundred thousand Pounds should, by virtue of any Order or Orders of the said Court to be made for that Purpose, be placed out in the Name of the Accountant General of the said Court on Government or Parliamentary Securities, and should be carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery; and further, that out of the Interest and Dividends of the Securities so to be purchased as aforesaid there should be paid (amongst other Sums) such Sum or Sums of Money, not exceeding the Sum of Thirty thousand Pounds, as the Lord High Chancellor of *Great Britain* or the Lord Keeper or the Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being should by any Order or Orders of the Court of Chancery direct to be applied in purchasing Ground for and in building and completing the Offices and Repositories therein-after directed to be built and completed, and in paying the other Expenses relating to the Execution of the Act now in recital not otherwise provided for, and such further Sum and Sums of Money, either yearly or in gross, as should be necessary for (amongst other Purposes) keeping the same Offices and Repositories in repair and insured from Fire; and further, that under the Direction of the Lord High Chancellor of *Great Britain* or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being, by any Order or Orders of the Court of Chancery to be made for that Purpose, proper and convenient Offices for the Masters in Ordinary in Chancery and their Clerks, and for the Secretaries of Bankrupts and Lunatics and their Clerks, and safe and secure Repositories for the Deeds, Books, Papers, and Writings of and belonging to the Suitors of the said Court delivered or to be delivered to the Masters, and the Records, Proceedings, Deeds, Books, Papers, and Writings delivered or to be delivered to or left in the Custody of the Secretaries of Bankrupts and Lunatics respectively, together with a Public Office for the Suitors of the said Court in the Stead or Place of the then present Public Office, should be built and made fit for the Reception of the said Masters and Secretaries, and the Transaction of their respective Business therein, and that for those Purposes a proper Piece of Ground should be purchased, and such Houses or Buildings as might be upon such Ground, and that the Ground and Houses so to be purchased should be from Time to Time conveyed to and the same were thereby declared to be vested in His then Majesty, His Heirs and Successors, for the Purposes of the same Act; and further, that

that it should be lawful for the Lord High Chancellor of *Great Britain* or the Lord Keeper or the Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being, from Time to Time by any Order of the Court of Chancery, to apply such Sum or Sums of Money as should be necessary in keeping the said Offices and Repositories so to be built and completed as aforesaid in good and sufficient Repair, and in insuring the same from Damage by Fire; and in the Act now in recital was contained a Proviso, and it was thereby further enacted and declared, that if at any Time thereafter the whole or any Part of the Money thereby directed or authorized to be placed out as aforesaid should be wanted to answer any of the Demands of the Suitors of the said Court of Chancery, then and in such Case the said Court might and should direct the same or any Part thereof to be called in, or the Securities in which the same should be placed to be disposed of, in order that the Suitors of the said Court might at all Times be paid their respective Demands out of the common and general Cash belonging to such Suitors: And whereas, under the Authority and for the Purposes of the same Act, and by means of the Monies thereby provided, a Piece of Ground situate in *Southampton Buildings, Chancery Lane*, in the County of *Middlesex*, has been purchased, and a Building has been erected on Part thereof and kept in repair and insured, in which are or lately were placed the Offices of the Masters and the other Offices and Repositories in the same Act mentioned: And whereas by the first-mentioned Act of Her present Majesty (in the Section numbered LI.) it was enacted as follows: "Such of the Masters Offices in "*Southampton Buildings, Chancery Lane*, as shall not be assigned "by the Lord Chancellor as Chambers for the Master of the Rolls "and Vice Chancellors respectively, or shall not be required for the "Masters, shall be appropriated to any other Purposes connected with "the Court of Chancery as the Lord Chancellor may from Time to "Time direct, or the same may be let as Chambers and the Rent "thereof paid to the Suitors Fund; and when all the Masters have "resigned, died, or have been released under this Act, the Offices "may be sold by Order of the Lord Chancellor, and the Proceeds of "such Sale paid to the Suitors Fund, in such Manner and to such "particular Account as the Lord Chancellor shall by any Order "direct; and it shall be lawful for the Lord Chancellor by any Order "to direct that the Premises so to be sold and the Fee Simple and "Inheritance thereof shall vest in the Purchaser or Purchasers of the "same, his or their Heirs and Assigns, or as he or they shall direct, "and such Order shall have the Effect of vesting the same accordingly, "without any Conveyance or other Assurance from Her Majesty in "whom the same are now vested by virtue of an Act passed in the "Thirty-second Year of the Reign of King *George* the Third,

15 & 16 Vict. c. 80. s. 51.

"Chapter

"Chapter Forty-two:" And whereas fuller Powers than those given by the last-recited Enactment are requisite for enabling the Lord Chancellor to let, sell, or dispose of the Masters Offices therein mentioned, and it is desirable that the like Powers should extend not only over the said Masters Offices, but also over the whole of the Ground acquired under the said Act of His late Majesty King *George* the Third, and of the Building already erected on Part thereof, and such other Buildings as may be hereafter erected thereon: Be it therefore enacted as follows:

Repeal of Sect. 51. of 15 & 16 Vict. c. 80.

XVII. The last-recited Enactment is hereby repealed.

The Ground and Buildings vested in the Lord Chancellor in trust.

XVIII. The said Piece of Ground situate in *Southampton Buildings* aforesaid, and the Building now being thereon, with their and every of their Rights, Members, and Appurtenances, are hereby conveyed to and vested in the Right Honourable *Robert Monsey* Baron *Cranworth*, the now Lord High Chancellor of *Great Britain*, to hold the same Premises to him and his Successors in that Office for ever, in as full and ample a Manner as the same are now vested in Her Majesty the Queen by force of the said Act of His late Majesty King *George* the Third, in trust, nevertheless, for the Purposes of the same Act, or such of the same Purposes as are now capable of taking effect, and are not inconsistent with the Purposes of this Act, and, subject thereto, for the Uses of the Court of Chancery and the Purposes of this Act.

Power of leasing.

XIX. It shall be lawful for the Lord Chancellor from Time to Time to demise or let all or any Part of the said Piece of Ground, and with or without the same all or any Part of the Buildings for the Time being erected thereon, for such Consideration, to such Person or Persons, for such Period, subject to such Rent, Covenants, and Conditions, and in such Manner and Form as the Lord Chancellor shall from Time to Time think fit.

Power of Sale.

XX. It shall be lawful for the Lord Chancellor from Time to Time to sell and absolutely dispose of all or any Part of the said Piece of Ground, and with or without the same all or any Part of the Buildings for the Time being erected thereon, upon such Terms and in such Manner as he shall think fit.

Power to vest the Ground, &c. in a Purchaser.

XXI. For effectuating any such Sale as aforesaid, it shall be lawful for the Lord Chancellor by any Order to direct that the said Piece of Ground and the Buildings for the Time being erected thereon, or such Part thereof respectively as shall be comprised in the Sale, and the Fee Simple and Inheritance thereof, shall vest in the Purchaser or Purchasers thereof, his or their Heirs and Assigns, or

as he or they shall direct; and any such Order shall have the Effect of vesting the same accordingly, without any Conveyance or other Assurance whatsoever.

Application of the Rents, Purchase Monies, &c.

XXII. The Rents, Purchase Monies, and other Monies which shall be payable upon or in respect of any such Demise, Letting, or Sale as aforesaid shall be respectively paid by such Person, and in such Manner as the Lord Chancellor shall from Time to Time direct, into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, to such Account or Accounts already opened or to be opened as the Lord Chancellor shall from Time to Time direct; and thereupon such Rents, Purchase Monies, and other Monies respectively shall become and be dealt with as Part of the respective Funds (if any) theretofore standing to such Account or Accounts as aforesaid, or be otherwise subject to the Order of the Lord Chancellor for the Benefit of the Suitors of the said Court, according to the said Provision contained in the said Act of His late Majesty King *George* the Third respecting the Money thereby directed or authorized to be placed out as aforesaid.

"The Lord Chancellor."

XXIII. In this Act the Expression "the Lord Chancellor" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being, and to include or be applicable to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being.

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